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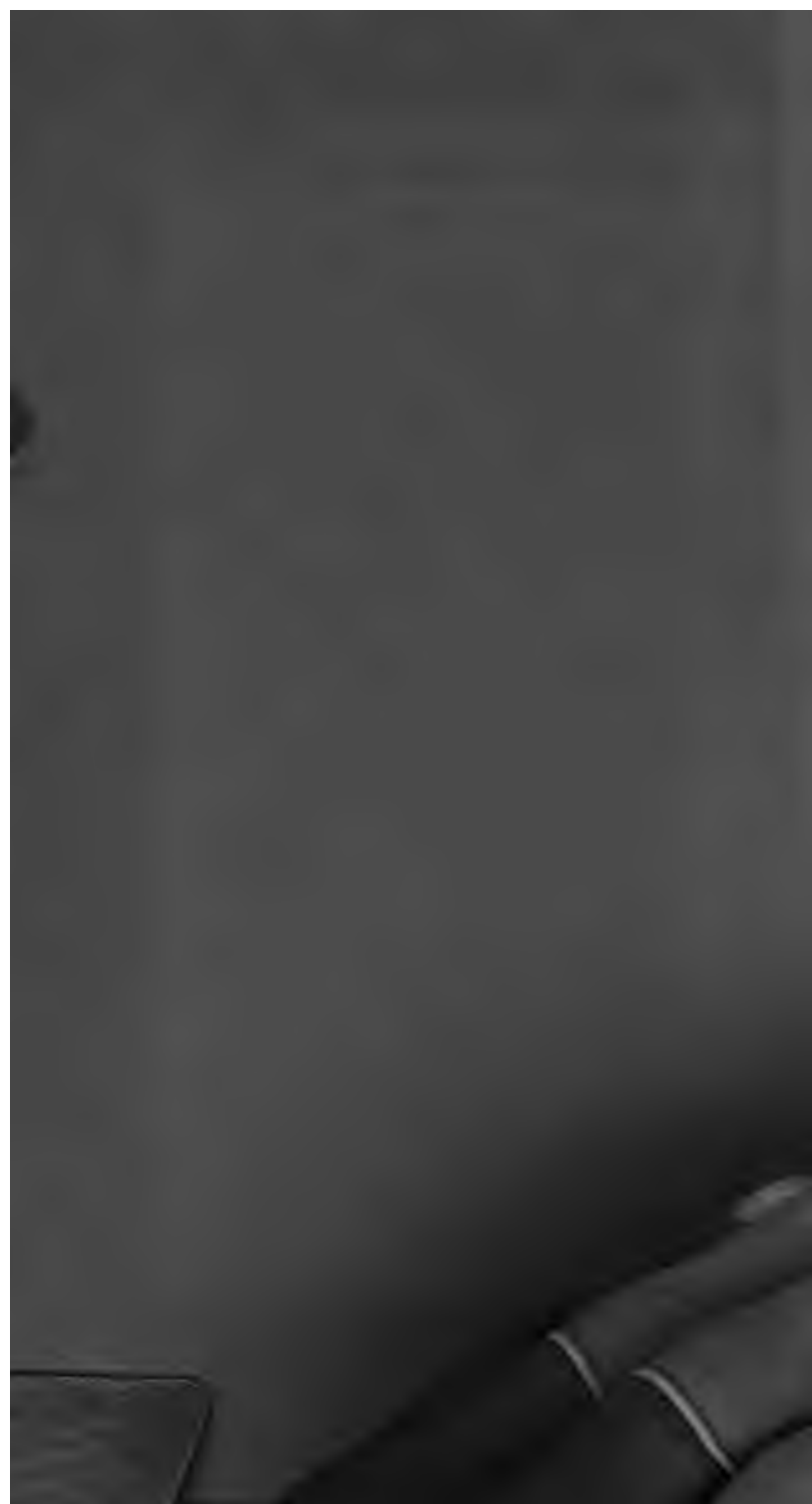
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THE
INQUISITION UNMASKED:

BEING

AN HISTORICAL AND PHILOSOPHICAL

ACCOUNT

OF THAT

Tremendous Tribunal,

FOUNDED ON AUTHENTIC DOCUMENTS;

AND EXHIBITING

THE NECESSITY OF ITS SUPPRESSION,

AS A MEANS OF REFORM AND REGENERATION.

WRITTEN AND PUBLISHED AT A TIME WHEN THE NATIONAL
CONGRESS OF SPAIN WAS ABOUT TO DELIBERATE ON
THIS IMPORTANT MEASURE,

BY

D. ANTONIO PUIGBLANCH.

TRANSLATED FROM THE AUTHOR'S ENLARGED COPY,

BY

WILLIAM WALTON, Esq.



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INQUISITION UNMASKED.

CHAPTER V.

The Inquisition has not only obstructed the Progress of Science in the Countries where it has been established, but has also propagated pernicious Errors.

NO two things in nature are more opposed to each other than light and darkness; nor is it possible, even by means of the imagination, to bring them together without one destroying the other. Since then the tribunal here alluded to is intricate in the principles constituting its governing system, and dark in its proceedings, can it be imagined that it has failed to take umbrage at, or ceased rancorously to persecute, every ray of light capable of endangering its stability? Every thing else might be expected from it rather than neglect in this particular.

Knowledge and generally all kinds of science have been the marks at which it has peculiarly aimed its fury and revenge. Science and the Inquisition in no country ever enjoyed, at least long, a peaceful dwelling together; the former soon declines and degenerates like an exotic wherever the latter is indigenous and successfully thrives. 'The earth itself' over which its malignant shade spreads and darkens loses its fecundity, in consequence of the tainted effluvia issuing from its trunk and boughs, as well as the poisoned juices which circulate around its roots. That such has been its aspect and influence in our own country, as well as in every other where it has been admitted, is fully proved by the examples of a variety of learned men it has persecuted, either by sacrificing their persons to its fury, or by prohibiting or expunging their works; and this lamentable truth is still more strongly evinced by the extravagant and monstrous opinions it has infused into the people, or which have spread under its dominion. Philosophy, theology, and politics, being the branches of science which principally contribute to the felicity of the state, are those against which the Inquisition has launched its thunderbolts

with unerring aim ; in what manner this has been effected will therefore be the next point we shall proceed to consider.

With regard to philosophy, we shall quote the example of Galileo. This wise native of Florence, whose talents after his death procured him eternal glory, during his lifetime was tenaciously persecuted by the Inquisition. Natural philosophy, geography, and mechanics, but more particularly astronomy, were indebted to this celebrated man for the greatest improvements. After enriching the latter, and showing the powers of the telescope by the discovery of the increase and wane of the planet Venus, of the spots on the sun and moon, of four of the satellites of Jupiter as well as of many fixed stars, he promoted the solar system which had been taught by Aristarchus in ancient times, afterwards revived by Copernicus, and latterly consolidated by Newton ; by which it was established that the earth, revolving on its own axis, moves round the sun, whilst the latter remains immoveable in the same central place. The Jesuits and Dominicans, desirous of being considered as the sole depositaries of knowledge, beheld with indignation a doctrine which, if it prevailed, would cer-

tainly bring disrepute on their schools, in consequence of which they hastened to discredit it as opposed to the Scriptures. Nothing was to be feared from this emulation as long as it was restrained within the limits of a literary controversy; but the enemies of Galileo were also the enemies of reason, so that instead of argument they resorted to force, and accused him before the Inquisition of Rome.

This distinguished astronomer, in the year 1615, being called up to the capital in order to abjure his opinions as repugnant to the faith, from a motive of necessity complied with the wishes of the pope and inquisitors; but a few years afterwards he published a treatise, entitled "Dialogo delle due Massime Systeme del Mondo Tolemaico e Copernico," in which he inculcates the very same ideas. He was again commanded to appear before the Inquisition, and it was only after a new retractation, and his compliance with various forms of penance, that he obtained pardon for having taught and persisted in a truth.* Before proceeding to such a step as this, the tribunal, acting with more caution, ought to have considered the mistake incurred by

* Diction. Historiq. art. Galilei.

Lactantius, and even still more strongly by St. Augustin and Procopius, with regard to the antipodes,—when they denied their existence on the authority of a passage in Genesis and the Psalms; a proceeding so much the more reprehensible in the judges of Galileo, because the above writers simply manifested their own way of thinking, at that time extremely general, whereas the latter sustained theirs by the violent means with which their authority furnished them.

Abbé Bergier, editor of the theological part of the French Encyclopedia, although not very friendly to the Inquisition, seeks to ward off the blow levelled at the Roman Church by this inconsistent conduct on the part of the tribunal; but his endeavours to palliate it by means of interpretations are far from being successful. He asserts that Galileo was condemned, not as a good philosopher but as a bad theologian, in consequence of his having done all in his power to induce the congregation of the Holy Office and the pope to declare the Copernican system as conformable to the text of the Bible.* This is a subterfuge not only destitute of truth, but likewise of all

* Diction. Encyclop. art. Sciences Humaines.

appearance of probability; for who ever saw a mathematician seek the proofs of his theories in the Scriptures, and in the recommendation of an ecclesiastical court? If Galileo in his answers to the Inquisition spoke of the Bible, it was in reply to the objections deduced against him from its authority; but to argue that an obstinate wish to have his opinions approved gave rise to his arrest is evidently a folly. That the sense in which he was condemned was no other than the one before stated may also be collected from the circumstance of all the Italian and Spanish authors who afterwards wrote on natural philosophy not adopting such a system, from their believing it proscribed by the said tribunal. In proof of this I might bring forward the testimony of Roselli and Amat; who, in fixing the last prop to the tottering edifice of the Peripatetic school, though without any other result than being themselves buried in its ruins, gave a considerable degree of importance to this argument. But why add any more words on the subject, when the decree of the congregation of the Inquisition promulgated on the 5th of March, 1616, in consequence of the condemnation of Galileo, perfectly

clears up the point? By this decree it is commanded to suspend, till the offensive parts had been expunged, the work of Copernicus in which the above system is established, as well as Zuniga's Commentaries on Job, in which this distinguished professor of Osuna, by means of the motion of the earth, at that time explained the 5th verse of the 9th chapter of Job, because the above doctrine in the opinion of the tribunal was false and absolutely contrary to the Sacred Scriptures. After this let Bergier tell us whether Copernicus, and Zuniga also, importuned the inquisitors and the pope to approve their system of philosophy.*

With regard to theology, I shall quote the case of Bartholomew Carranza, one of the

* The decree, extracted from the Index of Prohibited Books for the year 1664, and published in Rome by order of Alexander VII., is as follows: "*Et quia ad notitiam præfatæ Sacræ Congregationis pervenit falsam illam doctrinam Pythagoricam, Divinæque Scripturæ omnino adversantem de mobilitate terræ et immobilitate solis quam Nicolaus Copernicus De Revolutionibus Orbium Cælestium, et Didacus a Stunica in Job etiam docent, quam maxime divulgari et a multis recipi. Ideo, ne ulterius hujusmodi opinio in perniciem Catholicæ veritatis serpat, censuit dictos Nicolaum Copernicum De Revolutionibus Orbium, et Didacum a Stunica in Job, suspendendos esse donec corrigantur.*"

most illustrious professors sacrificed by the Inquisition. Having performed a brilliant career among the Dominicans, whose order he had embraced, he was sent by Philip II. to England and the Low Countries for the purpose of labouring in the extirpation of the new tenets of Luther and Calvin; which commission he most assuredly fulfilled in a more efficacious manner than prudence and religion allowed, since he rendered himself odious by his rigour. But the ideas of that age were no other, excessive zeal being generally mistaken for true piety; whence, as a recompence for his great services, the king afterwards promoted him to the archbishopric of Toledo. The enemies whom his singular merits had excited in the cloister, and who never lost sight of him, at length resolved to give him a mortal blow, in consequence of a catechism he published, which they supposed contained propositions in some measure opposed to the articles of faith; and, in conformity thereto, they lodged a secret information against him before the Inquisition.

Carranza was arrested in the year 1569, in a place called Torrelaguna, where he was visiting his diocese, and conducted to Valladolid. Not being subject to the authority

of that tribunal in the quality of bishop, he demanded to be tried by the pope himself; but the king and the inquisitors insisted on a compliance with the royal prerogative, which specified that all causes were to be instituted and ended within the kingdom. In order to put an end to this dispute, the pope created a special court composed of Cardinal Boncompagno, and the bishop of Rosano, the first legate and the other nuncio in Spain, together with the auditor of Rota. The inquisitors considering that it would be a dishonour if they did not proceed in an affair of which they had already begun to take cognizance; and, above all, fearful of their own discredit, in case what had been done towards Carranza should be deemed irregular, left no stone unturned till they were allowed jointly to sit as judges, or delayed the cause in such manner as to render it interminable. Whilst these contests lasted Pius IV. died, and the legate, without having made any progress in the affair, returned to Rome, in order to assist at the conclave in which Pius V. was elected.

The new pontiff, informed by the Cardinal how strongly the Spanish Inquisition opposed the special court acting with full liberty, as

well as of the inconveniences which would result if its pretensions were admitted, notwithstanding all the remonstrances of Philip II. ordained that the culprit should be transferred to Rome. On the arrival of the unfortunate prelate there, he was placed in the castle of St. Angelo, and the pope named new commissioners. The obstacles however which intervened, through the intrigues of our inquisitors, were such that the cause was not terminated till the year 1586, under the pontificate of Gregory XIII. ; and, although it is true that the tribunal of Rome absolved Carranza, nevertheless, not to irritate the Inquisition of Spain and the king who, from motives which were never discovered, had changed his former affection for the prelate into open hatred, it obliged him to abjure as being suspected of heresy, and suspended him from the government of his church for five years; during which time he was to remain in the convent of La Minerva. The archbishop survived this sentence but few days, dying at the age of seventy-two, after he had endured an imprisonment of sixteen years.

It is worthy of remark, that the catechism above referred to was examined and

approved, not only by several prelates and individual theologians in Spain, but also by the committee of the Council of Trent entrusted with the formation of the index of prohibited books ; but as the Inquisition was tenaciously resolved to destroy the reputation of the author, it appealed ; soliciting that the act of approbation might be reformed. The Fathers of the Council stedfastly refused compliance with this solicitation, for which reason the bishop of Lerida, patron of the Inquisition, declaimed against them with such warmth that he actually reproached them with partiality. The archbishop of Prague, president of the committee, offended at such lengths, and desirous of vindicating his own honour and that of his colleagues, complained bitterly to the Spanish envoys, protesting that he would withdraw from the council unless competent satisfaction were given him. These quarrels were at length settled, on condition that no regular testimony of approbation respecting the catechism should be given to Carranza, and that the bishop of Lerida should verbally ask pardon of the bishop of Prague, as well as of the rest whom he had offended. To the favourable censure this work received from

the Council of Trent, I ought to add, in order that the iniquity of the Inquisition may be better known, that Carranza had previously offered not only to abide by the judgment of the Church on the subject of his composition, but also to refer it to the censure of any intelligent person capable of amending the errors into which he might involuntarily have fallen. What greater security could be given for the sentiments contained in a Catholic book, or what more could be exacted of any writer? *

* Sarpi, *Istoria del Concilio Tridentino*, liv. viii. chap. xxxii.—Palavicini, *Histor. Concil. Trident.* lib. xiv. cap. x. n. 4. et lib. xxi. cap. vii. n. 7.—Cabrera de Cordoba, *Vida de D. Felipe II.* book vii. chap. xii.—Moreri, *Diccion. Histor.* art. Carranza.—This Catechism, which proved so fatal to its author, and whose perusal was prohibited by the Inquisition notwithstanding it excited no other than sentiments of edification and respect towards the worthy prelate, is a volume in folio, printed at Antwerp by Martin Nucio, and dedicated to Philip II. in the year 1558. Its title is, “*Comentarios del Rmo. Señor Fr. Bartolomé Carranza de Miranda, Arzobispo de Toledo, &c. sobre el Catechismo Christiano.*” The object of the work, and the protest by which he subjected it to the judgment of the Church, are contained in the preface under the following words: “My intention is to arrange the text of the Catechism which the Church from its foundation ordained through the Holy Ghost, and promulgated by means of the

Under the head of politics, one of the most remarkable victims of the Inquisition was Don Melchor de Macanaz. This venerable statesman, celebrated for his learning, and at one time proctor-general of the kingdom, as well as minister plenipotentiary of Philip V. for the arrangements of peace in the congress of Breda and Soissons, possessed the science of the canons with all the perfection that was possible at the beginning of the last century, that is, at a time when church discipline resembled a thick and confused forest, which some protestant and catholic writers

apostles, and to prepare it in such manner as to enable the people to understand all that is necessary for their profession, guiding myself at the same time by the authority of Holy Writ and the ancient fathers, conformably to the precepts they taught to those who assumed the profession of Christians, so as to extract the weeds which the heretics of the present day have sown, by pointing out in their proper places the dangerous ones, and recommending those which are good. By every means in my power I have endeavoured herein to revive the ancient discipline of our forefathers and the primitive Church, because that was the soundest as well as the most pure. My intention has been good, and what is wanting in the work will be corrected by the Church, to whose judgment and censure I submit all, as well as to every christian reader to whom God may have given more understanding than I myself have possessed."

have since thinned and arranged into order. Uniting to this branch of knowledge a vast scope of reading, he was well adapted to oppose the ambitious pretensions of the Roman see, and to point out, in several questions which at that time arose between the courts of Rome and Spain, the just limits between the priesthood and the empire. He likewise wrote a memoir, suggesting the various reforms he judged indispensably necessary in the ecclesiastical state, as well regular as secular. It was not easy for Macanaz to speak on matters of this nature with any degree of freedom, without bringing on himself the the anger of a tribunal, always disposed to favour the views of the powerful, more especially those in which the clerical order was directly concerned. However Macanaz was most implicated through a report he drew up by order of the king, at the time it was in agitation to suspend the remittances of money with which Spain then supplied Rome, under an apprehension that the Pope might avail himself of these resources, in order to strengthen the German party, with whom he acted in concert in the war of Succession.

This report was presented to and read

before the council, but the partisans of the Roman see prevented all deliberations respecting its contents, under pretext of requiring time to examine it, and in the interval they handed it over to Cardinal Judice, then Inquisitor General. This prelate who, from being an Italian, could not brook the idea of any infringements on the excess of power which under the plea of respect due to the Holy see, his nation enjoyed in Spain; and who, on the other hand, was piqued with Macanaz for having prevented him, as a foreigner and in conformity to the laws of the kingdom from obtaining the mitre of Toledo, sent the report to Rome, at the same time issuing an edict in which he prohibited it under the most rigorous penalties. The king, although at first he granted his protection to his proctor, and appeared highly offended that the Inquisitor General and his own council should make so open an attack on his royal privileges, at length borne away by a false piety unfortunately too common in our monarchs, gave way to the opinions of the pope's party, and turned his back on him who had risked every thing to sustain the rights of the nation and the throne, as well as to comply with his duty. In consequence

of this, Macanaz, judging it impossible to dissipate the storm by which he was threatened, sought safety in France, on whose frontiers he wandered about during the space of ten years.

In the mean time, Philip V. deprived him of his dignities and offices, declaring him banished from the court, by virtue of a decree which, extracted and inserted in a royal order addressed to the council of the supreme, under date of 28th March, 1715, is as follows : “ Sinistrously influenced and advised in my council respecting the matter of the edict and proscription of the proctor-general’s report, I entered into the resolutions laid before the council of the Inquisition ; but being now more solidly informed, I am convinced of the irregularity thereof, for it never was nor will be my royal intention to put my hand into the sanctuary, nor to hold any other rights than those which belong to me conformably to religion, respecting which rights I have and will consult with my council. Under these circumstances I judged it proper to remove from my royal person, my court, and their offices, the ministers who thus sinistrously and fraudulently advised me, and in consequence thereof, and the mistake

which has thence arisen, have resolved to abrogate, suppress, and annul all the decrees issued, as well as the resolutions formed on the subject of this important affair, at the same time commanding that Cardinal Judice, without any justificative answer or excuse, be allowed to return to the exercise of his office of Inquisitor General," &c.*

On duly considering this sudden change in Philip V. and the manner in which he repaid the services of his faithful minister, I know not which is most deserving of compassion; whether the monarch, made the tool of intrigue and acting contrary to his own interests, or Macanaz, rendered the victim of the weakness and inadvertency of the king.

The Inquisition immediately seized his property, without observing any of the formalities usual in cases of sequestration, and excommunicated him in a solemn manner, affixing his name to the doors of the parish churches in Madrid. It also laid hold on the property as well as the person of his brother, preventing him from filling his seat as member of the

* This decree was inserted in a representation to Charles III. on the subject of a royal order dated June 16, 1768, respecting the prohibition of books, and presented by the Inquisitor General Don Manuel Quintano Bonifaz.

Council of the Supreme, lately conferred upon him, and condemned him to a banishment of eight years; nor did any reason for all this exist except relationship, since a letter written by him to his brother Don Melchor, in which he merely said, "Do not you laugh at the Inquisition?" the only charge alleged against him, was not found among the papers of the latter till long after the former had been imprisoned. The tribunal moreover punished its own counsellors for having said they did not discover any crime in Macanaz sufficient to render him an object of persecution. Whilst wandering about as an exile he addressed several energetic remonstrances to the king, manifesting his innocence and the wicked machinations of his rivals, but they were unnoticed by the ministers; and if any copies reached the public eye, the Inquisitors ordered them to be called in. The tribunal likewise took possession of the greatest part of his writings, which were numerous and on various subjects. Eventually Macanaz, on being recalled to Spain under an ostensible pardon, was arrested in Pamplona and escorted to Segovia, where he remained in prison till the reign of Charles III., who granted him permission to end his days in

Hellin, a town of the kingdom of Murcia, in which he was born.*

One of the works of Macanaz is entitled "Defensa critica de la Inquisicion contra los principales enemigos que la han perseguido y persiguen injustamente," (Critical Defence of the Inquisition against the principal enemies who have and still unjustly persecute it,) concluded by him in the year 1796, after his own persecution, and published in 1798. On reading this miserable production, and such a character it pre-eminently deserves, I was induced to believe it surreptitious, and certainly should have pronounced it such, if I had not noticed the language and style; and likewise that the author therein mentions another apologetic work he was writing, under the title of "Historia Dogmática de la Inquisicion," to which he also refers in the manuscript quoted in the preceding chapter. Notwithstanding nearly the whole of the work is directed to justify, by means of frivolous arguments, persecutions against heretics; as it is no more than an interpolation of the French treatise respecting the edicts for the maintenance of the Catholic Church

* Memoria Apologética de Don Melchor de Macanaz, an inedited work. *Semanario Erudito*, tom. vii.—*Essais sur l'Espagne*, tom. ii.

written by Father Luis Tomasin, and of the anonymous Latin apology of Philip II., it presents no information regarding the judicial forms of the tribunal that is not superficial and mistaken. In the little he speaks concerning the Inquisition he says that it was not usual to confiscate the property of culprits unless they had relapsed; that they were not delivered over to the secular magistrate till they had thrice fallen into heresy; that then alone was the torture inflicted upon them, and this after condemnation; adding, that it is a calumny to attribute to the tribunal the stratagem of sifting out the truth of their crimes by means of another person converted and still feigning that he is a heretic. He also affirms that, with the exception of very few cases intended to stop the progress of Lutheranism in the reign of Philip II., scarcely three persons had been sentenced; when, if he had not before him the testimony of history, as minister of the king, he must frequently have seen in the palace the painting of the auto of Charles II., if he was not present at it, which might have been the case according to the time he was born.* The obvious way of accounting for this strange

* Vide part i. cap. iii. n. 13 and 14, cap. v. n. 7; and part ii. cap. iv. and v.

production is that, depressed by his past sufferings, he sought to flatter the Inquisition and shield himself from its anger ; it is, however, strange that he should have so far forgotten his own decorum and literary fame as to deny the existence of laws which might be perused in any library, as well as facts both recent and notorious. Macanaz in my opinion laboured under the infirmity common to our ancestors who never found, nor even sought, vices in the Inquisition, and who were not disposed to acknowledge them when they stumbled upon them. Let this be as it may, the Critical Defence of the Inquisition rather serves to attack than to defend it, since we evidently see how desperate its cause is when a man of such learning supported it so ill.

Among the scientific acquirements the Inquisition has hated, and whose professors it has bitterly persecuted, polite literature and ancient languages hold a distinguished place. The horrid and barbarous Latin in which the books used by the qualificators of this tribunal, as well as the inquisitors in their studies, are generally written, excited in them a hatred against every author who disdained to imitate them ; which they sought

to justify on the grounds, that heretics were in the habits of treating ecclesiastical matters in good language and style. The explanation of the Scriptures according to their original texts was not more pleasing to men who had been able to style themselves doctors of the law, without having taken the trouble to ascend to the source, where every work is more intelligible as well as exempt from those defects necessarily experienced in a transition from one language to another. To this was added the circumstance of the Protestants applying themselves to this peculiar species of study; so that, in the eyes of the inquisitors, he who took an original bible into his hands was held in the light of a Lutheran, or perhaps of a Jew. A most excellent method indeed of dissipating the ignorance of the people, and banishing apathy from among them!

Principally for this reason Father Luis de Leon, professor of Scripture in the university of Salamanca, and a man well versed in Oriental languages as well as an elegant poet, was implicated in the horrors of this tribunal. The version he made of the Canticles from the Hebrew text for private use, at a time (who would believe it!) that the Bible was prohibited in the vulgar tongue, was a crime

he was unable to expiate with less than five years imprisonment.* It appears he was in close confinement when he composed the following Decima in complaint of the injustice he endured :

“ Aquí la envidia y mentira
 Me tuvieron encerrado.
 Dichoso el humilde estado
 Del sabio que se retira
 De aqueste mundo malvado,
 Y con pobre mesa y casa
 En el campo delectoso
 Con solo Dios se compasa,
 Y a solas su vida pasa,
 Ni envidiado, ni envidioso !”

Poetas del Maestro Fray Luis de Leon, lib. i.

Envy and Falsehood kept me here confin'd.
 Happy the wise man in his humble mind,
 Who from an evil stormy world withdraws,
 And cheers his bosom with his God's applause ;
 Unenvying and unenvy'd leads his life,
 In pleasant fields, and scenes remote from strife.

Report says that the first time Father Luis de Leon, after being set at liberty, resumed his professor's chair, many students of other classes collected round, hoping he would say something on the subject of his hardships

* Vide his Life, at the beginning of his works.

and sufferings; but as if he had not been absent from the university a single day, and as if the scholars then assembled were the same he had left, he commenced his explanation with his usual introduction, "Hesternæ die dicebam," (As I yesterday related,) &c. These words, in my opinion, contain a great share both of criticism and sublimity.

This tribunal likewise arrested Martin Martinez Cantalapiedra, also professor in Salamanca of the Hebrew and Chaldean languages, on account of his estimable work called *Hypotyposeon Theologicarum*.^{*} A similar fate likewise befel Francisco Sanchez de las Brosas professor of Rhetoric and Greek in the said university, and the first who treated grammar in a philosophical manner. By this fatal event several works he had not yet published were lost, among which was a translation of the poetic works of Homer, of which he himself speaks in his commentaries on *Alciatus*; and respecting which mention is made in the proceedings instituted against him, as appears from the original papers

^{*} Don Gregorio Mayans, in the *Life* of Sanchez de las Brosas, found at the beginning of the edition he published of his works, n. 11.

obtained from the Inquisition of the above city, through the events of the late revolution. Cardinal Espinosa, at that time Inquisitor General, sensible of the merits of this great man, was desirous of saving him from so terrible a disaster, but was afraid to do it; such was the fury with which his enemies sought and at length obtained his ruin.*

In Alcalá several persons learned in Oriental languages were also molested by this tribunal. Alfonso de Zamora, first professor of Hebrew in that university, and one of those who laboured most in the edition of the Complutensian Bible, on the death of his patron Cardinal Ximenez de Cisneros was deprived of the fruit of all his labours, through the designs of two wicked men shielded by the authority of an inquisitor.†

* Mayans, *ibid.* n. 216 and 246.

† No mention is made in history of the persecution of this learned man. The information on this subject I am here enabled to give, although small, is taken from a note in the Hebrew language, placed, in his own hand-writing, at the end of the first volume of a printed copy of the Rabinical Commentaries of Abarbanel on the Prophets, preserved in the library of the university of Alcalá, and which he adorned with vowel points by order of the rector of the same, in order that it might serve as an exercise in the translations

Benito Arias Montano, the celebrated editor of the royal Polyglot, was also denounced to the Inquisition, and near falling into its clutches. Leon de Castro, professor of Hebrew in Salamanca, and a man naturally envious, unable to brook the idea that Philip II., without calling upon him, should have employed a simple doctor of Alcalá in so honourable a commission, pointed out defects in the Polyglot, tending sometimes to lower the merits of the learned editor, and at others to place the principles of his religion in a dubious light. As large sums had been expended in this edition of the Bible, and its beauty and magnificence had rendered it famous throughout all Europe, and as on the other hand it bore the name of the king, the latter was interested in upholding the editor, since any measures instituted against him must eventually redound to the discredit of the royal person. For this reason he ordered the work to be submitted to the censure of Father Mariana, in consequence of whose favourable report, Arias Montano escaped

which occur among the competitors for the professorship of Hebrew. It appears that Zamora having found no justice in his cotemporaries, consoled himself by exciting the compassion of those who succeeded him in his charge.

being arrested by the Inquisition; which, under other circumstances, most assuredly would have taken place, as some of the charges preferred against him were of a sufficiently difficult nature.*

Among these charges, the following appeared to carry great weight. In the instructions made out in writing by Philip II. the king had ordered that the editor was to follow the Hebrew text of the Complutensian Bible, in which the 17th verse of Psalm xxi. is thus worded: כַּאֲרִי &c. *Foderunt manus meas, et pedes meos.*—To this, Arias Montano preferred the other text used by the Jews, viz. כַּאֲרִי *Sicut leo manus meas, et pedes meos*; thus destroying one of the most clear prophecies of the passion of Jesus Christ, for such it has been considered by the Holy Fathers, as well as the other Christian expositors. I am ignorant what solution he gave to this objection; but it seems to me that he might have cleared up the point by observing that the order of the king was made out, not so much to abide by the letter as the spirit of the work; and could mean no other than that all was to be done in the best manner, and, if possible, to produce a Polyglot edition

* Rodríguez de Castro, Biblioteca Rabínica Española.

more exact than the Complutensian one : for which reason, the codices on which the latter was drawn up were placed in the hands of the editor. In these codices, which I also have had an opportunity of examining, and generally in all others as well as in the printed Bibles, the reading is the same as that used by Arias Montano ; whence it results, that Cisneros, in deviating from the originals, acted rather as a pious prelate than a faithful editor. Neither can it be alleged as an excuse in his favour that the Jews have corrupted the original text ; for, besides this accusation being unfounded when made against a people who venerate the Bible even to superstition, and who, by merely altering an accent, might have disfigured the passages most offensive to them, it appears that the reading was not different in the time of Jesus Christ ; since the two evangelists, St. Matthew and St. John, following the Greek version, and quoting this passage in proof of the prophecy respecting the crucifixion being fulfilled, omit the words *Foderunt*, &c. at the same time that they are so filled with meaning, and begin by the following verse, "*Diviserunt sibi vestimenta mea*, &c. Arias Montano therefore had done

nothing which warranted a prosecution on the part of the Inquisition ; consequently all proceedings against him would have been extremely unjust.

In speaking of the great enmity the Inquisition has at all times evinced towards learned men, we ought not to forget that it has driven many to the brink of the precipice through its absurd and violent conduct, or caused them to separate from the Catholic Church ; particularly when they have been animated by more than ordinary zeal. Aonius Palearius, whose singular merit and disastrous end wrest from historians the most lively sentiments of compassion, may serve as an example of this fatal truth. His merit was universally acknowledged, not only on the score of philology, of which he was professor in Milan when he was arrested, and where he had besides published an estimable Latin poem on the Immortality of the Soul, as well as several orations in the same language, but also as far as regards theology, which, notwithstanding he was a secular and married, he possessed in an eminent degree, as did Vives among us. Hence did cardinals Peter Bembo, James Sadoletto, Renato Polo, Francis Sfondrato, Ennius Filonardo, and

Bernard Masei, honour him with their friendship. Even Paul IV. bestowed on him his esteem, and Philip II. granted him certain privileges, and ordered a larger salary to be assigned him for his own subsistence and that of his family. His zeal may be appreciated by the following words extracted from a charge, or, as he calls it, declaration against the Roman pontiffs as corrupters of discipline, which he addressed to Charles V. and the other Christian princes, in order to excite attention to this subject on the convocation of a general council at that time agitated, and which ended in that of Trent. This paper was in the mean time deposited in the hands of his friends, in case he should previously die, or the Inquisition, which had already threatened him, should sacrifice him, as it afterwards did. The following are his words:

“ What is it that princes wait for in order to prove that the religion of Jesus Christ is not indifferent to them by promoting a salutary reform? We have been forbidden to speak the truth; the edifice raised by the apostles has been destroyed; the word of God is belied; the majesty of his precepts is diminished; the fruit of the cross, as far

as regards the popes, rendered useless ; great and unimaginable abuses have been introduced ; and, in short, all the divine and human rights have been confounded. Who therefore can be so great an enemy to the name of Christ as to behold all this, and still remain silent ? Or who would not wish, since he is unable to remedy it, rather to die than be held as an accomplice in so much iniquity ? With regard to myself, I can assert, that I shall never regret having undertaken the defence of the Gospel, whatever may be the danger to which I am thereby exposed. ' Here thou hast me ; oh ! executioner, tie my hands, cover my head, discharge thy axe on my neck, since I voluntarily offer myself to the anger of the popes, as well as to the torments they may seek to inflict upon me. And if with my death they are not still satiated, and should wish to see my entrails torn to pieces and converted into ashes, here thou hast me ; oh ! executioner, approach, I will endure all.' *

Palearius indeed beheld the convocation and termination of the council ; but he also beheld the scholastic spirit that prevailed in

* Aonius Palearius, *Actio in Pontifices Romanos et totum aaseclm*, cap. xx.

all its decisions, owing to most of the Fathers, having been friars; and, with regard to discipline, he moreover saw grievous abuses left standing, and, as the compendium of all, the Inquisition. On the other hand, in the anterior pontificates he had likewise seen cardinals Sadoletto and Polo, as well as cardinal Moron, under an indelible stigma arrested by the tribunal, though they were afterwards declared innocent, more through their virtue than their science; and in the existing one he had beheld Peter Carnesecco, Julius Zoanneto, and Bartholemew Bartoccio, barbarously murdered through their desires of a more radical reform than that adopted by the council, and which undoubtedly was necessary, in terms more or less extensive. Finally, he saw himself accused of crime for having spoken against a tribunal notoriously fatal to science and religion. How difficult therefore must it not have been for him to remain devoted to the authority of the Roman Church, an authority he beheld increased with a thousand abuses and sustained by oppression?

Without entering into a long enumeration of all the sciences, as well as of the persons who have been eminent therein, it would not

be possible to give a complete idea of the individuals who have suffered by the proceedings of the Inquisition; particularly if this tribunal is considered not altogether as organized under a fixed plan, the form it has retained among us, but in a wider sense, that is with regard to the fanaticism which has predominated in it more than in any other establishment. John Reuchlin, in Germany,—Picus Pince of Mirandula, in Italy,—Peter Ramus, in France,—and Desiderius Erasmus, every where,—had to endure the lash of this infernal fury, yet no nation has thereby suffered so much as Spain. In the seventeenth century Father Pedro de Soto, a wise and pious writer,—Father Juan de Villagarcia, professor of theology at Oxford,—and, in general, all the learned men who at that time visited England became its victims. Father José de Sigüenza, a diligent and polished historian,—and in more-recent times Don Estévan Manuel de Villegas, Father Nicolas Belando, Counts de Aranda and de Campomanes, Don Benito Bails, Don Antonio Ricárdos, Don Nicolas de Azara, Father Pedro Centeno, Don Thomas Iriarte, Don Felix Samaniego, Don José Téregui, as well as Don Melchor de Jovellanos, all distinguished

by their acquirements in history, theology, mathematics, politics, philology, &c., became objects of inquisitorial vengeance. Finally, within late years not a few enlightened persons of literary pursuits and known probity, still living and known to us all, have had to drag a miserable existence within the walls of the Inquisition, on account of denunciations ridiculous and chimerical, or have been admonished or threatened by it. Even in the way of artists of any pre-eminence this tribunal has placed obstacles. A navigator who, by discovering a new route, had performed a voyage in less than the customary time,—a master of the first rudiments who, by his genius and constancy, had brought forward and improved his scholars quicker than his competitors,—and even the handicraftsman who has enjoyed more credit than others of his own class,—have incurred the displeasure of the Inquisition and been entangled in its toils.

As a final proof how much illustrious men have been persecuted among us, we will recur to the testimony of some of them who complain of this fact. Such is the apology which Antonio de Nebrija, professor of Latin in Salamanca and of rhetoric in Alcalá, as

well as the restorer of Spanish literature, had to make of himself before Cardinal Cisneros, in consequence of some of his grammatical labours on the Vulgate having been denounced to the Inquisitor General Deza. He answers the two charges preferred against him, viz. that a mere humanist ought not to introduce himself into the jurisdiction of theologians; and that, in case of amending the less exact or adulterated passages of the Bible, this ought to be done by correcting, not the Latin version by the Hebrew and Greek text, but rather the latter by the former; and filled with indignation thus exclaims: "What! then, it does not suffice for me to enslave my own understanding in compliance to the faith, respecting the dogmas it proposes to me, but I am moreover bound to confess myself ignorant with regard to certain truths which I know, not on grounds either dubious or supported only by probable reasons, but resulting from irrefragable arguments and palpable demonstration! What slavery is this, great God! What iniquitous oppression is this, which, under the title of piety, does not permit me to manifest my way of thinking in matters by no means injurious to the faith! What,

did I say manifest? nay, that does not even allow me to write down my opinion for my own use and within the secrecy of the closet—not even to utter it within my teeth, or make it the subject of my meditations.” *

Another testimony is contained in one of the letters written from Bruges by Luis Vives to Erasmus, of which it may be advisable to present an extract. In it, after copying some paragraphs of other letters he had received from Spain, he represents the opposition the works of Erasmus had met with in the Peninsula, and the oppression under which the vulgar part of the friars and the Inquisition held all literary characters. I

* Antonio de Nebrija in his Apology, which circulates under a MS. form, thus expresses himself: “ *An mihi non sit satis in iis quæ religio credenda proponit captivare intellectum in obsequium Christi, nisi etiam in iis quæ mihi sunt explorata, comperta, nota manifesta, ipsaque luce clariora, ipsa veritate veriora, compellor nescire quod scio, non hallucinans, non opinans, non conjectans, sed adamantinis rationibus, irrefragabilibus argumentis, apodicticis demonstrationibus colligens? Quæ, malum! hæc servitus est, aut quæ tam iniqua veluti ex arce dominatio, quæ te non sinat, pietas salva, libere quæ sentias dicere? Quid dicere? Immo nec intra parietes latitans scribere, aut scrobibus immurmurans infodere, aut saltem tecum volutans cogitare.*”

say vulgar part of the friars, because, as may be seen from the same letter, among them some were to be found of a right way of thinking. "In my former letter," says Vives to Erasmus, "I wrote you at great length, informing you that the mendicants have denounced you to the Inquisitor General, the Archbishop of Seville; and that, in consequence of this, an assembly has been held in which the subject of your errors was discussed, when two Benedictines and one Augustine spoke in your defence. The decision however was left till another day, when theologians of the greatest reputation are to assist, and among them the most enthusiastic of all, Virues. I am also of opinion that Coronel, Lerma, and Father Dionisio, the Augustine I have just mentioned to you, will not fail to attend; all of them extremely fond of your writings, that is, extremely fond of true piety and erudition. Some bishops are likewise to be present, whom the Emperor is to send."

Under another date he adds, "I have received letters from Spain, viz. from Vergara, Cepero, and Virues; what they state respecting your affair is as follows: Cepero says, Here the friars have declared war

against Erasmus with indescribable hatred, and are making the greatest exertions to have his works prohibited; but some of his friends have been able to prevail on the chancellor to interest himself in favour of this learned man. The Inquisitor General, who, most assuredly, is an upright character, has been able to withstand for some time the impetuosity of his enemies, but it will be impossible for him to please all, and the rage of the friars is beyond example. They have undertaken this affair with such warmth that in the convents they have had no schools for some days, all being busily employed in examining the writings of Erasmus. They have already presented some propositions which they pretend are schismatical and heretical; but, on the other hand, the same are defended by Coronel, by the bishop of the Canaries, (Luis Cabeza de Vaca,) as well as by others. We cordially regret being unable to aid him; since we should expose ourselves to imminent danger. However it is useless to explain the nature of this tyranny when writing to a Spaniard who knows it as well as myself." * Let it

* *Johannis Ludovici Vivis Opera*; tom. vii. Valencia edition. "*Nos interea dolemus opem quod ferre afflictis rebus*

be remarked, that Cepero here gives the name of tyranny to this inquisitorial fanaticism. This is the manner in which the learned of that age explained themselves in their epistolary correspondence, that is, when they spoke without reserve and to confidential friends.

“ Vergara’s letter,” continues Vives, “ is of a more recent date and in the following terms: Our friars have conspired against Erasmus, not all, but most of them; and it is observable, that they who persecute him least are the most distant from the mendicant class.” Of Virues, without copying his words, he observes, that he had entered into a strong contention with the regular orders in favour of the above writer; whom he defended, not for any particular object, but because he was highly persuaded that his doctrines were derived from the true and pure sources of religion. He afterwards quotes another letter from a merchant of Burgos; in which he informs him that the affair of Erasmus was soon to be decided, and that his defenders had laid a regular remon-

minime queamus nam confestim magnum audentibus periculum immineret. Sed quid ego hoc apud te hominem Hispanum, qui hanc tyrannidem satis cognitam habes?”

strance before the tribunal of the Inquisition, stating, that the works of Thomas of Aquino and John Duns ought equally to be subjected to an examination; and that every thing therein contained contrary to the Scriptures and the Holy Fathers ought to be condemned as heretical.* Finally, complaining bitterly of the melancholy situation in which the literary characters of that age were placed, he concludes by saying, "These are calamitous times, in which, whether one speaks or is silent, he is not secure. In Spain, Vergara, his brother Tovar, together with other learned men, have been imprisoned; and in England the same fate has befallen the bishops of Rochester and London, as well as Thomas Moore."†

The junta was held and the sittings opened at the end of June 1527, when as many as

* Luis Vives, *ibid.* "Scribit ens qui doctrinæ tuæ favent postulare à quaestore ut in Thomæ ac Scoti opera inquiratur, velle se horum placitu ad examen revocare, sitne aliquid contrarium vel mysticis litteris, vel veteribus nostræ religionis scriptoribus; postulant de eo sibi jus dici, et ut hæresin damnari."

† Luis Vives, *ibid.* "Tempora habemus difficilia, in quibus nec loqui nec tacere possumus absque periculo. Capti sunt in Hispania Vergara, et frater ejus Tovar, tum alii quidam homines bene docti; in Britannia episcopus Rossensis et Londinensis et Thomas Morus."

thirty-two deputies assembled, but without any effect, as the meeting was prematurely dissolved. Our historian Sandoval gives us to understand, that this was occasioned by the obstinacy of Erasmus's enemies; who, according to him, formed the majority, as well as through the bad faith of those who defended him; but others attribute it to the plague which raged at that time. The latter might possibly be the pretext, but the true motive was the furious exertions made by the friars to have him condemned, but which the Inquisitor General thought it prudent to elude. Besides this being conformable to the idea given of the matter by the letters above quoted, it is also confirmed by the author of the Dialogue between Mercury and Charon, who appears well informed of all the points on which the contest turned, and also wrote in the following year, 1528.* The works of Erasmus then remained without stigma, although at a later period the Inquisition did not fail to brand them by enjoining that they were to be read with caution. And, in order that the interest exhibited in his favour might not remain altogether un-

* This is an 8vo volume, apparently printed in Flanders.

punished, it afterwards persecuted Peter de Lerma ; who was compelled to abandon his office of chancellor of the university of Alcalá, and to withdraw to Paris, where he died dean of the faculty of divinity in La Sorbonne. It also persecuted Alonso Virues, who stood in need of all the esteem as well as the admiration Charles V. professed towards him for his eloquent preaching, in order to escape perishing in the dungeons of the tribunal, and to counteract the exertions of the friars, who laboured hard to prevent the signing of the bulls for the bishopric of the Canaries, which he obtained.* In a country, therefore, in which learned men have not been tolerated how was it possible for science to prosper ?

And, since the conduct of the Inquisition towards men illustrious in letters, with regard to their persons, has been such as we have just depicted, it may easily be inferred that it was still worse with regard to their writings. There is scarcely a work of merit to be found that has not been prohibited or commanded to have some parts rescinded ; consequently there is hardly a writer worthy

* Llorente, *Anales de la Inquisicion*, cap. xvi. n. 50 and 61.

of esteem whose good name has not been blackened by its censures. Books totally bad, as well as books extraordinarily good, have shared the same fate: the first because they aimed at religion, or manners and customs; the latter because they attacked absurd prejudices, as sacred to the inquisitors as the very dogmas of faith themselves. Thus, both one and the other have been condemned to darkness or the flames, whilst those which suffered least have been blackened in their reputation.

Would to God the Inquisition in this particular had always acted from error, and not from sinister motives! Then the index of prohibited books which, according to its object, ought to serve for the people as a criterion whereby to discriminate good books from bad ones, would not be, as it now is, a repertory of the cabals to which the criminal condescension of this tribunal has yielded. In order to preserve some degree of order, and reduce to precise limits a matter which, by too much minuteness, might become tedious, I will, in the first place, treat of the want of judgment with which it has impeded the circulation of various works of sound doctrine without having

examined them, and under the sole plea of "*interin se califican*," (till they are properly qualified or reported upon) thus causing considerable injury not only to the reputation of their authors, but also their interests and those of the booksellers; and consequently destroying the fruits of so useful a branch of national industry. After this I will proceed to demonstrate the falsity of its judgments respecting estimable writings; whose merits, although it has examined, it either has not, or wished not, to comprehend. Finally, I will prove that this tribunal, by its prohibition of books, more than once, and contrary to its own opinion, and with decided bad faith, has promoted the factions of private individuals, or of corporations, which had gained its esteem.

Commencing by the facility with which the Inquisition has suspended the reading of useful works, I am naturally struck with the edict published in Seville on the 10th May, 1789; which, like all others of the same class, is a copy of the one previously issued by the Council of the Supreme. In it the inquisitors confess that, having included in the index of prohibited books (till they had been corrected) the works of professor Fer-

nan Perez de Oliva, published by Ambrosio Morales, as well as others of his, in consequence of their containing propositions which might be taken in a bad sense; after examining the same, they had discovered that this very author "inculcates the true doctrine wisely, and with admirable clearness; so that he removes the danger which the said propositions, taken under another aspect, might occasion." Notwithstanding, as the inquisitors were ashamed to make a candid confession of their want of circumspection in so long withholding this work, which does not exceed one volume in 8vo, in order to give some colour to the transaction, they ordered censure to be passed on a small marginal note relating to St. Augustin, according to which it might be believed that this Holy Father did not reprove adultery. But what reader peruses a book by the notes placed in the margin? or who on reading one and discovering any obscurity, does not recur to the body of the work for his more complete information?

In the edict also published in Seville, January 7, 1790, mention is made of two other works which experienced the same injustice. These are, the "*Theoria et Praxis*

Sacramentorum," by Gaspar Juenin, and the treatise "*de Sacramentis*" of the same author. Both had been comprehended by the Jesuits Casani and Carrasco in the catalogue of Jansenist authors inserted in the index of prohibited books for the year 1747; and the authority of these two individuals became of such weight in the eyes of the Inquisition, that it alone sufficed to suspend their circulation till they were examined. When the tribunal thought it had detained them long enough, which was at the end of forty years with regard to the second, and forty-three the first, it allowed them to circulate, without having been able to state the smallest objection to them. It will be proper here to observe, that this proceeding was not only unjust, in consequence of the stigma the above-mentioned author had to endure the whole of that time, and the manner in which the public was deprived of the utility of reading his works, but the Inquisition moreover contravened an express royal order.*

* The royal order issued on 16th June, 1768, which enjoins—First, That the tribunal shall grant a hearing to catholic authors of known reputation before it prohibits their works, and that when they are foreigners or deceased,

We ought not to omit mentioning the severe reprehension Pope Benedict XIV. gave to the Inquisition of Spain, in consequence of the said catalogue. The latter had therein inserted the two works of Cardinal Norris, one called " *Historia Pelagiana*," and the other " *Dissertatio de Quinta Synodo Œcumenicâ*," both approved by the congre-

a pleader shall be named in their defence, who shall be a person of public and known science, conformably to the spirit of the constitution " *Sollicita et provida*" of Benedict XIV. as well as the dictates of equity. Secondly, That for the same reason it shall not obstruct the circulation of books, works, and papers, under the plea of their standing over " *till they are qualified*," and that in those in which it may order passages to be expunged, the places and folios shall be distinctly pointed out, because by this means the perusal of the whole will not be prevented, and the censured parts may be expunged by the owner of the book, the same being so enjoined in the edict, as in cases when determined propositions are condemned. Thirdly, That its prohibitions be directed to extirpate errors against the faith, superstitions, and loose opinions. Fourthly, That before the edict is published a copy thereof shall be presented to the King, through the medium of the minister of Grace and Justice, and in default thereof through the secretary of state, the publication being suspended till the same has been returned. Fifthly, That no brief or dispatch of the court of Rome relating to the Inquisition, although appertaining to the prohibition of books, be put in execution without previous notice being given to his Majesty, and without the permit of the council being first obtained as a preliminary and indispensable requisite.

gation of the Holy Office of Rome, a circumstance of which it seems our tribunal was ignorant. The order of the Augustines, of whose institution the cardinal had been a member, complained of this excess, and the pope wrote a long letter, dated the 31st of July, 1748, to the Inquisitor General, to remind him of the necessity of proceeding with more circumspection in affairs of this nature, and giving him to understand that he ought not to have revived a question repeatedly decided in favour of the above author, and much less placed his name in the index. He also added, that the remonstrance of the order of St. Augustin was most just, and that he should not behold with indifference the reputation of so worthy a prelate tarnished on light grounds.* In consequence of this severe admonition, the Inquisition commanded the preceding works to be taken out of the index of prohibited books; and in order to prevent any imputations that might arise among the public on account of these contradictory proceedings, it forbade all further writing on the subject, either in pro or in con, under the accustomed penalty of excommunication. With regard

* The letter is translated and placed in the *Semanario Erudito*, tom. xxx.

to the writings of other authors prohibited like those of Norris till they had been qualified or duly reported on, took not the smallest notice of the royal order, so that it still withholds most of them, together with several others since. That this point may be seen in its due light, the reader will do well to examine, in the last index of prohibited books for the year 1790, the articles Bourignon, St. Cyran, Font, Formey, Hersent, Huigens, Malpaix, Paradan, Richard, Seguenot, Tourneaux, &c. as well as two other works contained in the edict of the following year, 1791.

With regard to the publications this tribunal has censured, and the want of judgment it has displayed in pronouncing on their merits, I shall here present some cases, in order that a just conception may thereby be formed of the rest. But as it has not been customary, when the Inquisition has prohibited these works, distinctly to point out in its censures the particular passages against which the latter were levelled, it would be impossible for me now to analyze them; yet, in their vindication, I may allege, as the only but sufficient argument, the reputation

which all these works enjoy in the literary republic.

As far as relates to philosophy, Locke's work, entitled "Philosophical Essay concerning the Human Understanding," may serve as an example, it being prohibited by the Inquisition, "because," according to the tenor of the original censure, "the doctrines therein contained destroy the true notions of moral good and evil, leaving man in the state as depicted by Hobbes, Espinosa, and other impious characters, and tend to naturalism and atheism."* It likewise more unjustly proscribed, and even for those who have license to read prohibited books, the six last volumes of the work of Condillac, entitled "Cours d'Etudes pour l'Instruction du Prince de Parme," because "the report states" it contains heretical propositions, *sapientes hæresim*, scandalous ones, *piarum aurium offensivas*, tending to disturb public peace, injurious to the high pontiffs and the supreme secular powers, especially to our Catholic kings and lords.† A work written

* Edict of the Inquisition of Seville, promulgated Feb. 25, 1804.

† Edict of May 10, 1789.

for the instruction of a prince, and the authority of princes to be therein combated! Either Condillac was not in his sound senses, or the idea formed of his writings by the Inquisition must be greatly mistaken.

Relating to discipline, theology, and the other ecclesiastical sciences, considerable stress ought to be laid on the fate of the two works of Fleury, viz. "Institution au Droit Ecclesiastique," and "Discours sur l'Histoire Ecclesiastique." Confining myself to the latter, the Inquisition prohibited it, "because it contained rash, scandalous, blasphemous, and schismatical propositions, *sapientes hæresim*, and also respectively erroneous ones." * Scandals, schisms, and heresies in a work which is the result of facts which the author has produced in his history! Are not these same facts proved by irrefragable documents taken from the Holy Fathers, from the councils, and other writers whose authority we are bound to venerate? And is not this to anathematize those same documents, rather than the reflections to which they have given rise? Really we may say of the inquisitors condemning Fleury what Terence said of certain ignorant persons

* Edict of Sept. 16, 1745.

who criticised him, because in his comedies he followed the authority of the ancients.

*"Faciunt nãe intellegendo ut nihil intellegant ;
Qui quum hunc accusant, Nævium, Plautum, Ennium
Accusant, quos hio noster auctores habet."*

TER. Prol. And. v. 17, &c.

In understanding they act as if they understood nothing ; since in accusing him they accused Nævius, Plautus, Ennius, whom here our author follows.

At length the squeamish tribunal discovered the hasty manner in which it had passed censure ; and, on more mature reflection, these discourses were allowed to circulate, on condition of their being attached to the Ecclesiastical History of the same author.*

It will also be proper, in this place, to advert to Racine's work, entitled "*Abregé de l'Histoire Ecclesiastique*," in 16 vols. prohibited, "under every edition, in consequence of its containing expressions ill-sounding, scandalous, *piarum aurium offensivas*, injurious to the Saints, defamatory of the high pontiffs and bishops, subversive of the pontifical authority, and even of that of monarchs, schismatical, *sapientes hæresum*, and inclining to error." "And because that,"

* Index of Prohibited Books for 1790, art. Fleury.

the censure adds, "from the tenth to the thirteenth volume, the author has united a complete apology of the Jansenists, the said four volumes are moreover prohibited even to those who are licensed to read forbidden books; and in the same quality vols. xiv., xv., and xvi., are likewise interdicted, in consequence of their containing the heads and recapitulation of the whole work." * The inquisitors, as far as they give to understand, would wish that history, instead of being a faithful portrait of the past, were rather indistinctly a flattering panegyric of the persons who conducted themselves well in the dignities in which they were constituted, accompanied by a detail of those who acted ill. With regard to the Jansenists, it is now well known to whom the Jesuits, and their companions the inquisitors, gave this epithet. Finally, in speaking of theologians and canonists whose writings have been persecuted by the Inquisition, I ought not to pass over in silence the respectable names of Arnaud and Van Spen; the prohibition of the works of the first of whom, and the mutilation of those of the second, alone suffice to cover this tribunal with eternal opprobrium.

* Edict of Feb. 25, 1804.

Touching politics, I shall mention the writings of Mably, principally the one entitled "*Droits et Devoirs du Citoyen*," which was prohibited on the grounds of its "containing doctrines seditious, formally heretical, and inducing insurrections against the legitimate authorities."* The Inquisition however has never acted with such a degree of extravagance as in the prohibition, even for those who are licenced, of Filangieris' work, entitled "*La Scienza della Legislazione*." The following are the grounds on which its censure is founded: "Owing to its being full of propositions false, captious, rash, bordering on error as regards the faith, erroneous, and abetting tolerantism so much reprov'd by the Church; subversive of the authority and rights of sovereigns, as well as of civil and criminal legislation, seditious, and capable of exciting the people into the most confused anarchy."† Had we not the testimony before our own eyes no one would believe that a tribunal belonging to a polished nation could have fallen into so gross a delirium. In treating of the science of government and its appendages, the following names, from having been deeply wronged by the

* Edict of Dec. 13, 1789. † Edict of March 7, 1790.

Inquisition, deserve to be particularly mentioned, viz. Grotius, Puffendorf, Montesquieu, Beccaria, Adam Smith, and Robertson; whose works, as solid in their principles as they are commendable by their erudition, no discreet man would venture to say ought to be called in, or that they merit the ignominious marks of reproach with which it has been attempted to brand them.

What has hitherto been said relates to scientific productions, which this tribunal, for want of information in its judges and qualificators, has sought to exterminate; let us now proceed to consider some of those it has prohibited contrary to its own opinions, and out of obsequiousness to powerful persons or bodies. What happened to the works of Peter Nicole is recent and well known in all Spain. After they had been suspended for many years, they were examined by an assembly of theologians, by orders of the Inquisitor General and the Council of the Supreme; who, having found them unobjectionable, the latter gave permission for a translation to be published. Four volumes were already printed and in the hands of the public, when, at the request of a certain ecclesiastic belonging to the court, to whom it was as

pleasing to meddle in the intrigues of the palace as it was disagreeable to reside in his own diocese, an order came down from the said council for the Inquisition again to prohibit Nicole. In conformity to this, the tribunal a second time affixed its prohibitory censure; and, according to the custom observed in its edicts, it was necessary to state the motive of so irregular a proceeding, which the inquisitors did in a vague and irrelevant manner; such as manifests the confusion under which they themselves laboured at an instance of versatility so indecorous and abominable. Their words are the following: "Because the doctrines of this author ought not to circulate in many parts, as from them considerable injury may result to religion and the state." *

That the Inquisition has constantly lent its favour to every person or faction that might contribute to give stability to its empire is evidently proved, as it is to this institution that the regulars of the Company of Jesus were, in great measure, indebted for that despotic influence they enjoyed over the people, and particularly over literary characters. In testimony of this I might quote

* Edict of Feb. 25, 1804.

the numerous writings revealing the plots of the Jesuits, which appeared in time to stop their ambitious plans, all which writings were prohibited by the Inquisition. Among others were some of the Bishop of La Puebla de los Angeles', the venerable Don Juan de Palafox; nor was any licence to individuals or communities to read them of any avail. Of these writings one was a letter to Innocent X. and the other a memorial to the king, in which he informed both authorities of the scandals the said company of the Jesuits was causing, and which, from the duties of his ministry, he could no longer pass over in silence. The prohibition was at length raised when the Jesuits were near falling, a fact which fully demonstrates that it was the unbounded influence of the latter, and not the defects of the above writings which induced this tribunal to tarnish the good name of their author. Even the Inquisition itself has since been brought to acknowledge the intrigue, for its members in 1801 having received the King's orders to clear up some articles of the index of prohibited books relating to Palafox, as from the manner in which they were conceived the fame of the prelate was not altogether unhurt, the inqui-

sitors executed the same ; stating, in order to justify their own conduct, that the former prohibition of the said works had been done under an express protest not to injure the sound intention and doctrine with which they had been penned ; (we have already had examples of the validity of inquisitorial protests) adding, that it was their desire to banish that spirit of party which governs in many, and threatening at the same time to proceed with all the rigour of the law against those “ who by their slander and calumny still pretend to find motives or pretexts to wound the just reputation of so enlightened a prelate.”* The tribunal here says that it will proceed against those who by their slander and calumny still pretend to find pretexts for wounding the reputation of Palafox ! Then it was slander and calumny, emanating from a spirit of party, which formerly persecuted the same writings. Consequently it was to slander and calumny that the Inquisition lent its arms.

But how can it appear strange that this tribunal, out of consideration to the Jesuits, should have treated the works of the above zealous prelate with so much injustice after

* Edict of March 19, 1801.

his death, when even in his life-time, and for the same reasons, it prohibited one of his most wise and pious pastoral letters? The tribunal which did this was that of Mexico, on whose bench a person of the name of Don Juan de Mañozca sat as judge, and jointly with him, as visitor of the tribunal and ordinary inquisitor, the Archbishop of that city, cousin and namesake of the said Mañozca. These two persons, to crown their baseness, intercepted, opened, and adulterated certain letters relating to this affair, which the Prebendary of La Puebla, Don Antonio Peralta, was sending to the government sealed, the contents of which they altered in such a manner that they appeared a defamatory libel rather than a plain exposition; and having secretly distributed some copies of the same, and afterwards ordered them to be called in, they arrested the said Prebendary as the real author, in a manner not less inhuman than disgraceful, since they took him out of his bed when dangerously ill, on a festival day, and in sight of the whole city. Palafox himself, speaking of this insulting act of violence in a complaint which he addressed to the King, exclaims in the following words : " It would not be possible to experience a

more painful circumstance than to see that the injury arises from that quarter whence justice ought to be derived, and that the wrong is so much the greater because he who commits it is vested with greater dignity; whereby he appears to sanction the injuries done, and converts into truths what in fact are no other than atrocious calumnies. These being also published by known authors, and they besides, one an archbishop and the other an inquisitor, a greater stain and defamiation cannot be cast on innocence, since no one presumes that such an act of wickedness could be committed by so holy a tribunal. And on the other hand men will be more encouraged by this bloody manner of wronging each other to defame and outrage sacred persons, seeing this is done by inquisitors; and what is still more, they defend the act by the very jurisdiction of their tribunal, so that as men they outrage, and as inquisitors avenge themselves. Moreover, they hold it lawful in themselves to write satires and libels, as they suffer them to circulate; but they deem it unlawful to answer them, nay, the Inquisition itself prohibits it." In short, the latter suffered all the calumnies published against the venerable prelate to circulate freely, and

after prohibiting his pastoral letter, together with all the writings in his defence, and imprisoning the Prebendary Peralta in the manner above related; and as the proctor of the tribunal, Don Antonio Gaviola, declared himself in favour of Palafox, the judges ordered him to go into banishment within the space of three days.*

I should conceive myself wanting to the respectable memory of one of our ancient worthies, were I to pass over in silence his writings delivered over to the flames, not by the Inquisition, which at that time did not exist in Castile where this learned man resided, but by that same spirit of persecution which already began to propagate itself, and in the above kingdom prepared the way to the entry of that fatal tribunal. I here allude to the distinguished mathematician Don Enrique de Aragon, Marquis of Villena, who flourished under the reign of his relation John II., and whose library was partly burnt and partly appropriated to himself by a Do-

* I am indebted for this information to Don Juan Antonio Rodrigálvarez, contained in the memorandums of which I have spoken above, and who affirms that at the time he was writing them he had in his possession an original document of the venerable Palafox.

minican, preceptor to the prince, called Father Lope de Barrientos, afterwards Bishop of Segovia, and other places. The letter written on this subject to Juan de Mena by the King's physician, Fernando Gomez, known also by the name of the Bachelor of Ciudad Real, deserves particular notice. It is as follows: " Don Enrique de Villena's knowledge did not suffice to prevent him from dying, neither did his being uncle to the King prevent him from passing for a sorcerer. The King has had his share in the inherited property, and the conclusion I can inform you of is, that Don Enrique was wise in what he did to others, but not in what regarded himself. Two waggons have been loaded with the books he left, and these have been brought to the King; but as he conceived they related to sorcery and to arts unfit to be read, the King ordered they should be conveyed to the house of Father Lope de Barrientos. Father Lope, however, who is more suited to be a courtling than a reviewer of works on the black art, caused more than one hundred volumes to be burnt, which he no more read than the Emperor of Morocco, or understood than the Dean of Ciudad Rodrigo; for there are many now-a-days who

represent themselves as learned and make others foolish and magicians, and what is worse than all is, that they make themselves pass for devout people whilst they turn others into necromancers. After experiencing so much, this stroke of fortune was alone wanting to this illustrious man. Many other works of value remain in the hands of Father Lope, which will neither be burnt nor turned over. If you should be pleased to send me a letter to shew the King, in order that I may ask his Majesty for some of Don Enrique's books for you, we shall relieve the soul of Father Lope from this sin, and that of Don Enrique will rejoice that he is not his heir who has made him pass for a sorcerer and necromancer.*" The above-mentioned Juan de Mena, Father Mariana, and Antonio Nicolas, also lament this loss. The first, speaking of the ashes of the above unfortunate man, bursts forth with the following lines :

" O ínclito sabio, autor muy scyente,
Otra, y aun otra vegada yo lloro ;
Porque Castilla perdió tal tesoro
No conocido delante la gente.

* Letters of the Bachelor of Ciudad Real, letter lxvi.

Perdió los tus libros sin ser conocidos,
 Y como en exéquias te fueron ya luego,
 Unos metidos al ávido fuego,
 Y otros sin orden no bien repartidos."*

O author thrice renown'd and wise!
 Castile, till time itself's no more,
 With sorrow fresh, with tearful eyes,
 Thy loss lamented may deplore.
 It lost thy books, where wisdom's lore
 Diffused its light; some burnt in fire;
 Some borne away, a useless store,
 Felt all the wrathful bigot's ire,

If to the fact of Barrientos burning the books of the Marquis of Villena we add that of Zumárraga, first Bishop of Mexico, destroying the symbolical monuments of the Indians, and of Cisneros casting into the flames, according to report, as many as 80,000 volumes of Arabian works, it will result that we Spaniards, far from being benefited by the Inquisition, rather require to purge this baneful humour away which thus impels us to burn and destroy.

Having already exhibited the persecuting spirit which the productions of learned men have experienced from the Inquisition, some-

* Nicolas Antonio, Biblioth. Vetus Hisp. lib. x. cap. iii. n. 155.

times through ignorance and at others through malice, it will be proper to say something on the want of discretion and care with which the tribunal has also acted in this particular. This is the more necessary, because some persons, although sensible of the many vices it always has and still does labour under, will with difficulty be induced to believe that it has not maintained all possible decorum in order to keep up the illusion in the eyes of the people. A few additional observations, however, on the index of prohibited books will fully demonstrate the errors of those who reason in this manner; since these remarks will point out to us that if the tribunal of the Inquisition had been confided to the care of children it could not, in the prohibition of books, have conducted itself with more irregularity. And indeed what better could be expected from men who considered themselves exempt from all reproach?

Let us commence our examination by the first article that occurs, viz. "Trithemius." The index prohibits the work of John Trithemius, entitled, "Steganographia," or the Art of Secret Writing, under which title the author wished to signify what at the present

day we call the art of writing in cyphers, or by conventional signs intelligible only to the person who writes the letter and the one by whom it is received. However, as he died without leaving the key, whereby the secret might be explained, the report which during his life-time had begun to get abroad, now became general, purporting that this invention and the manner of using it was by sorcery; which at a time when the credulity of the common people was at its highest pitch, was rendered the more credible by the reputation of the great talents Trithemius enjoyed. The inquisitors without any further scrutiny pronounced the work to be magical; and although its secret was afterwards explained by some German writers interested in the good name of their countryman, the Inquisition still holds it under a censure of prohibition; nor have the taunts of foreign critics or the charitable insinuations of national ones hitherto sufficed to erase the prohibition.*

* Feijoo, speaking of the prohibition of the Steganography of Trithemius, but avoiding all means of clashing with the tribunal, avails himself of a kind of circumlocution, the same as when he speaks of the encouragement to the belief in witches given by means of inquisitorial per-

Another article not less ridiculous than the preceding, relates to a book also prohibited in totum, and the form is conceived in these words: "A book printed in 8vo. in 44 leaves, written in Hebrew letters, in Venice, 1674, by Christopher Ambrosini." But

secutions. "I observe," says he, "that the index of prohibited books of the holy tribunal of the Inquisition of Spain prohibits Steganography, even under a knowledge that it contains nothing magical. Certainly this is a just measure, because the reading thereof may occasion grievous evils to those who are ignorant of the mystery; and even with regard to many who might understand it, it is not proper to place such cyphers in their hands. In the same index we also read that the above composition is falsely ascribed to Trithemius; certain it is that many and weighty authors suppose it to belong to Trithemius, but they who performed this search by orders of the Holy Tribunal possibly knew more of the matter."—Teatr. Crit. tom. ii. disc. v. n. 48. That Feijoo deemed the prohibition of Steganography to be unjust, is clearly seen in the addition to this discourse; where, inserting an extract of the work alluded to, in § iv. n. 43, he observes "that the protests inscribed by the author in the two prefaces of the first and second book, as well also as his rank, dignity, and reputation, were sufficient grounds to prevent all suspicion of such a crime as the black art existing in him; consequently he had the best reasons to hope that the contents of his work would scandalize no one." With regard to the unwarrantable manner in which the inquirers deny the above the quality of being genuine, the opinion of Feijoo could not be more explicit.

what this book is, what it treats upon, and why it has been condemned, the inquisitors themselves do not know, since they are even ignorant of its title. Possibly they prohibited it from motives of dislike to the author. But they are ignorant who he was, since of his work they give no further information than of the size, which every one can see; of the number of leaves, which every one can count; and of the place, year, and name of the printer, which, being in the vulgar tongue and usual characters, may be decyphered by every one who knows how to read. Is it then because it is written in Hebrew letters? Yet the original Old Testament is in Hebrew letters, and hitherto the Inquisition has done us the favour not to prohibit it. The Gospel is also in Hebrew characters, into which language it has been translated by Catholic authors, and finally, in the same language are various works of Rabins allowed by this tribunal, such as those of grammar and philosophy. What then can have been the cause of this prohibition? Really I can discover no other than the caprice of some qualifier, as scrupulous as he was ignorant, added to the inconsiderate imbecility of the Inquisition.

In short the attention of the public ought to be strongly called to a remarkable circumstance, which is, that in the index of prohibited books a number of works are still to be found which, if it was judged proper to include them in former times, they ought not, according to the later determinations of the Inquisition itself, to be retained in the list at present. Such are the works which formerly were called in for no other reason than as promoting the reading of the Bible in the vulgar tongue. Let all those therefore know, who still esteem the official censures of the Inquisition on books, that they are now allowed to read the Bible under the above form, with spiritual advantage to themselves, because this tribunal itself has so declared it; but at the same time let them understand that by this very tribunal they are excommunicated if they read any of the works which point out these advantages. That this may be better substantiated, it would be well for the reader to recur to articles "*Courte et necessaire Instruction*," &c., and again "*Instruction familiale*," and in them will be found two works prohibited on this sole account. Even more, by a general edict of

the faith, promulgated on the 1st Feb., 1790, the Inquisition of Seville, commanded among points usual in similar edicts, that all Bibles in the Spanish language should be denounced, notwithstanding that, seven years before, the council of the Supreme and the tribunal itself of Seville had erased the prohibition.* And is this a proper line of conduct for a tribunal, circumspect as all such should be, more particularly one that presides over religion? It may perhaps be said that the omission to suppress the above articles in the new impression of the index, as well as the retention of the clause on the Bible in the above-mentioned promulgated edict, originated in a principle of natural forgetfulness. I would then reply, that this might pass for an excuse in a private individual, but in a corporate body which, besides being numerous, within the latter years has had very few objects to attend to, argues a neglect of duty and an inexplicable remissness, nay even a total forgetfulness of its obligations. And if this tribunal in the index of prohibited books as well as in its edicts, the chief points on which this institution is vulnerable, has

* It was erased by an edict of 20th Dec. 1782.

evinced so much weakness and indolence, what will not have been the lax state of its interior regulations?

It is then clear that the Inquisition in its suspension and prohibition of books has not only acted in a light and heedless manner, with little knowledge and decided malice in these respective cases, but also with a want of dignity, or if it may be so called, a want of formality. Let it not be believed, however, that my observations are confined to the abuses into which this tribunal has fallen in the exercise of its jurisdiction; the laws also which have therein held sway, under the name of rules, mandates, and resolutions, are equally censurable. Respecting some of them much might be said, but for the sake of brevity, I shall only refer to what it is not possible for me to pass over in silence. Firstly, in the expunging of praises or honourable titles which persons of the same sect frequently confer on writers of their own persuasion, or perhaps Catholics, the Inquisition has been extremely nice and scrupulous. Among many other proofs we may quote the Chronographia of Peter Opmeer, continued by Lawrence Beyerlinck, of which in the index of prohibited books for the year 1707,

folio 453, it is ordered to correct the expression of "*linguam Græcam illustrabat*," applied to Munster, by substituting the verb "*tractabat*." In folio 464, it is said of Herman Buschius that he was "*vir faceti ingenii*," which words are ordered to be expunged. Even of Erasmus, in folio 438, the eulogium, "*vir erat festivissimo ingenio et opinione eruditionis percelebris*," was ordered to be wholly suppressed. This, however, was in remote times, when the tribunal was more savage; for in the index for 1790, it contents itself with expunging from the reputation of heretics all expressions conveying the idea of piety or goodness, but yet using towards them a principle of liberal courtesy in even allowing them to retain (these are its own words) "the title of Don or Sir." This relates to regulation v. which ordains "that it is necessary to avoid every thing that may cause regard, inclination, and esteem towards any discredited persons in matters of religion." And can such trifles as these be honourable to religion?

By the xiv. regulation of the index all the books of the Talmud are prohibited, together with their glossaries, interpretations, and expositions, as well as all other Jewish works

treating of religion and ceremonies. This measure, which with regard to other nations might possibly be considered of minor consequence, is nevertheless very great with respect to us. Whoever has studied the origin and progress of Spanish literature, knows that in the 11th century, when Christians every where lived buried in profound darkness, the Jewish academy of Cordova, and at a later period that of Toledo, flourished in all kinds of science, and from them came forth so many learned men who have conferred honour on the nation and excited the envy of foreigners. Among the Hebrews there is scarcely a learned man of any distinguished reputation that was not a Spaniard; and those who were not, owe what they knew to the studies of the Spaniards. Of the four principal writers which the Jewish people possess and venerate as so many Holy Fathers, three belong to us; viz. Abraham Abenezra, Moses Benmaimon, and David Quimki, all of them expositors of the Scriptures. The first, whom the Jews out of a principle of antonamatia call The Wise, also distinguished himself in medicine and astronomy. The second, whose talents they say have not been equalled since the time of Moses, besides possessing

the above branches of science, and with them several Oriental languages and even the Greek, in all which he wrote with elegance, had acquired a fund of recondite erudition, such as was necessary to draw up an excellent commentary on the Mishna or text of the Talmud, which being written by him in Arabic, was afterwards translated into Hebrew. The third, in short, was called Prince of the Grammarians, for, in fact, he is the best the Jews ever had; and it is to him that in great measure are owing the improvements afterwards made in this branch by Christian philologists, but above all by the Protestants.

Till the period when the Jews were expelled from the kingdoms of Spain the taste for science was there preserved, as is proved by the great number of literary characters who then left the country to go to Africa and the Levant. Such, among others, were Abraham Zacuto, Joseph and Semtob Uziel, Joseph Peso, Samuel Serralvo, Jacob Benrab, Isaac and Meir Arama, Joseph Chequitilla, Jacob and Levi Haben-Habib, Joseph Taitasac, Judas Hayat, Abraham Sabah, Judas Aboab,—nearly all writers; and with them the well known Isaac Abarbanel. “In the part which most relates to and

concerns us, which is the study of our most holy law," says the ancient Rabin who has transmitted this information down to us, "we can positively assert, that the excellent academy of Toledo was removed to the cities of Fez, Salonica, and Saffi. In the same flourished men eminent for learning, particularly in the holy cabal.* In Salonica our people established the famous Talmud Torah, in which are more than five thousand scholars studying, together with many Yesiboth, of which some are most excellent, besides thirty-six general schools. In Fez great studies were carried on, and wonderful order," &c. By the Talmud Torah I understand an university for the teaching of the law, and by Yesiboth certain schools for particular branches.†

Of the principal labours therefore of these great men, chiefly relating to the Scriptures and the Mishna, and of the greatest utility to us, we have been deprived by the above

* A secret mystical science professed and taught by the Hebrew Rabins.—Tr.

† Imanuel Aboab, *Nomologia ó Discursos Legales*, part ii. cap. xxvii. This work was written in Corfu, and published without the name of the place in the year 5989, according to the Jewish computation, or in 1629 of the Christian era.

decree of the Inquisition. I assert that the labours of the Jews on this subject might have been of the greatest utility to us, because, as they preserve among themselves various traditions of their primitive Synagogue, several passages, not only of the Old but also of the New Testament, are thereby cleared up, which has happily been done by some modern professors of Hebrew, who have availed themselves of this branch of our literary harvest, when in Spain it was scarcely known that we possessed it. Another of the injuries caused by similar prohibitions has been the loss of manuscripts, which necessarily must have abounded in the Peninsula, as the study of Oriental languages has been abandoned in consequence of the obstacles placed in the way of the studious by this tribunal.*

* I have the satisfaction to announce to the learned the discovery of a short, but perfect, Chaldean manuscript, inserted in one of the Codices of the above-mentioned library of Alcalá. It is a concise history of the feast of the Encénias, or dedication of the temple of Jerusalem, by the Machabees, and in it are found certain particulars which do not occur, either in the canonical book of that name or in any of the other authors who treat on this subject, such as Flavius Josephus, Joseph Bengorion, Josipus, and the Arabian, a compendium of whose work is inserted by Walton in his Polyglott. The dialect in which

At the same time that the Inquisition, as above stated, has forbidden all authors who were not Catholic to be distinguished by titles exciting esteem towards their persons, it has prevented the printing of any information when written by Catholics that might lessen this same esteem, in cases relating to princes or persons, or belonging to one or the other clergy. The words of regulation xvi., in which this is ordained, are as follow :

it is written in purity is equal to that of the Targum or Paraphrase of the Pentateuch by Onkelos, in which are wanting the clausular, or musical accents as they are called by grammarians. It has no title, as is generally the case with ancient works of the same kind, but I have given it that of ספר מלך *Sphar Melec*, that is "Book of the King," in consequence of the transcriber having used this term in the margin. I have translated it in a literal manner into Latin, and afterwards into Spanish with more freedom, taking from it all Oriental idiotism, and adding to it a commentary and a preliminary discourse, also in Latin ; in the latter of which I investigate its antiquity and the other particulars deserving of more immediate notice. And, as from self-experience I am aware how much the curiosity of antiquarians is excited by this species of tidings, as a specimen and till the entire piece is put to press, I will here insert the first verse, with a literal translation, which is as follows : וְהוּא בְּיוֹמֵי אֲנְשֵׁיכֶם מֶלֶכָא דִּין מֶלֶךְ רַב וְחָקִיף הוּא וְחָסִין בְּשִׁלְמוֹנוֹתָה : Et fuit, in diebus Antiochi Regis Gracia rex magnus, et fortis fuit, et potens in principatu suo, et omnes reges obediebant ei.

“ It is ordered to blot out all clauses derogatory to the good fame of any neighbour, and principally those containing detraction against ecclesiastics and princes. Item : Those writings shall be rescinded which may offend or discredit ecclesiastical rites, the state, dignity, and orders of persons devoted to religion.” This law, which the egotism of one class of the community, already too much favoured by kings, dictated as a means of supporting their own despotism, to our literature has operated as a fatal blow. In consequence of it, I may venture to affirm, it is that in Spain up to the present day we have been deprived of a history worthy of the nation ; since, if the first and most indispensable quality in all history is truth, what judgment are we to form of our historians, when they were obliged to tread in the very path which the Inquisition pleased to point out to them, omitting a great number of facts, and clothing the detail of others according to the palate of this tribunal ? The learned consequently ought, as soon as peace is re-established in our country, to rectify and make up for the inexactitude and voids which the want of freedom has caused in this so material a part of human knowledge ; and this will be best done by searching in

the libraries and archives for those documents which the voracity of time and the fury of the war may have spared.*

* The author of a pamphlet ironically entitled "*Para que la Inquisicion?* (Wherefore the Inquisition?) printed in Valencia, defending the prohibition of books as ordained by the tribunal makes use of these words: "The libertines complain that the prohibitions of certain books decreed by the Inquisition are so many shackles to the understanding. Could any complaint be more unjust? In the immense multitude of books Christianity has produced has not the confined understanding of man perchance a scope sufficiently wide wherein to range? Can it ever approach the limits of the vast space presented by the Sacred Bible, in which are developed all the occurrences of the life of man, together with their consequences, from the creation of the world till its destruction?"—So then, for the learning of all kinds of science, we shall have to put away all books not appertaining to religion, and recur only to those which do! This, most assuredly, is the wish of some persons who, boasting of being the only depositaries of the arcana of science, seek nothing so much as to convey the truth to us under a garbled form. But the above author adds, "Do not the Holy Fathers present to us a vast field for reading, profound erudition, and enchanting eloquence?"—Most certain it is, that this same apologist of the Inquisition never read them, and still more so that, if he did, in the vast field for reading they present he never found proofs wherewith to support the Inquisition. "Are history," he concludes, "sacred and profane, natural science, and belles-lettres, in which Christian authors have distinguished themselves

I have now gone through the first part of my chapter, in which I hope to have amply proved that the Inquisition has obstructed the progress of science, by persecuting, either through ignorance or malignancy, its professors, as well as by suspending and proscribing their works; and, in the second, it now remains for me to point out the errors which it has sometimes disseminated, and at others firmly planted, by misleading the judgment of the people through its monstrous practices, and encouraging their prejudices, as if these were derived from principles of eternal truth. My remarks will principally be directed to the display of three errors; viz. 1st, The infallibility it has arrogated and affected to arrogate to itself, by designedly identifying its name with that of the Church and of religion; 2dly, The belief of the existence of witches and sorcerers in

above all others, too confined a field for the extension of human talents?"—If by Christian authors he likewise understands the sectarians, I agree with his opinion, but then his argument becomes ridiculous. If he holds that it is merely the Catholics who have excelled in science, he speaks not the truth; yet, even confining ourselves to the latter, how many of their works, possessed of incomparable merit, have not been prohibited by the Inquisition?

considerable numbers, as well as that the injuries and mischiefs related of them were true; and 3dly, The temporal power of the Church and of its ministers over nations and authorities representing them. Entering on this question, and proceeding to examine each of the above points respectively, the first object that presents itself worthy of consideration is the pompous and amphibological language which the Inquisition has been in the habits of using in the heading of its edicts; by this means dazzling the minds of the common people, in order to secure their veneration, as if belonging to the universal Church. "We, the apostolic inquisitors," says the form, "against heretical pravity and apostasy, to all persons of whatsoever quality or condition they may be, health in our Lord Jesus Christ, which is true health, ordaining them firmly to obey and comply with our commandments, which, more truly, are apostolic prescripts," &c. The haughty arrogance with which, in the latter words, the Inquisition asserts that its decrees are, more truly, apostolic prescripts, is too evident and remarkable to require any further comment. It is indeed such that the inquisitors themselves, aware of the greater

sagacity of the public, for some years past have omitted the above words; fearing, no doubt, that they would rather excite laughter than respect towards their tribunal.

It is to this proud and lofty tone, as well as the other stratagems by which the Inquisition has given importance to its dealings, that I attribute the little propriety with which some of our writers have spoken of this institution, conferring upon it such titles and epithets as are only applicable to the Church assembled in general council. Any one, however little he may have read, will easily bring to his mind several of these passages; but I shall content myself with merely quoting one in this place. Father Luis de Granada, among other things, calls this tribunal "a column of the truth, the guardian of the faith, treasure of the Christian religion, light against the deceptions of the enemy, and touch-stone on which the purity of the doctrine is tried, in order to discover whether it is false or true." * Borne away by this same delusion, the jurisconsult Bartolo went so far as to affirm, that he was a pertinacious heretic, and as such deserved to be punished, who does not hold the word of an inquisitor

* Father Luis de Granada, Sermon de Escándalos.

as true and certain.* But why be astonished that individual authors have explained themselves on this point with such little exactitude, or have fallen into the error of believing the Inquisition infallible, when this tribunal itself has blazoned forth the same infallibility as a truth connected with the faith? This was in fact done in Zaragoza in the year 1591, during the persecution of Antonio Perez, secretary of state to Philip II., which was carried on against him by the king his master; but of which transaction I shall speak at greater length in the next chapter. The king, proceeding in joint accord with the Inquisition, attempted to make the cause of Antonio Perez a religious one, and thereby seize his person and convey him away from the public prison called the *Manifestacion*; but as the people, in the unjust outrage committed against this minister, presaged the loss of their own liberty, and evinced sentiments so much in his favour as to supply him with food during his confinement, the inquisitors, for the purpose of entangling him, sent a friar to visit and publicly inculcate to him the blind respect due to them,

* L. Tutor. § Tutores, ff. de Suspect. Tut. quoted by Alfonso de Castro, de Just. Hær. Punit. lib. i. cap. x.

being that their decisions possess the prerogative of infallibility. "Such pains were taken to deprive him of the kind acts of the people," says Antonio Perez, speaking of himself in the third person, "that a friar of character used his endeavours with certain ladies who supplied him with daily bread in order to prevent them from continuing so to do; for it is notorious that he lived on charity, since all his income and property was in a state of seizure. In addition to this, on reprehending the above friar respecting what he was doing, and other things he had said in the pulpit, he answered, that he had been ordered so to do." Perez then proceeds to say, in the note annexed to this passage, "I have been informed that this same friar was in the habits of declaring that an inquisitor could not err; and, on his being reproved for such a proposition, he answered that he was commanded to say so. Scandalous excuse indeed," he concludes, "to say that he has been commanded to do it; yet more scandalous the order, pitiful the age, and lamentable the province, in which such things are commanded, and such obeyed from a principle of fear." *

* Antonio Perez Relacion del 24 de Mayo.

Besides the convincing proof just stated, I could avail myself of others, so much the more strong because they demonstrate that this doctrine has not been purely speculative among the inquisitors ; but rather practical to such a degree that not a few culprits have thereby fallen victims to their cruelty. In the first place, the punishment of death, which the code of the Inquisition assigns to the convicted, but not confessed, heretic, rests upon no other principle than its infallibility ; which punishment, in order to be considered as perfectly just, it would be necessary for the tribunal to be perfectly exempt from mistake and possessed of no failings. On the other hand, the auto de fe celebrated in Mexico in the year 1659 affords us testimony of a similar nature, in the accusations preferred against two miserable beings who died by the hand of justice. The one was Mr. William Lamport, an Irishman ; from the proceedings of whose trial, among other things, it resulted that he was the author of two writings, the first of which was censured in the following words : “ That in it things were said against the Holy Office, its erection, style, mode of process, the secrecy it observes, as well as against the inquisitors,

secretaries, and ministers; in such manner," continues the proctor, "that in the whole of it not a word was to be found that was not deserving of reprehension, not only as being injurious, but also insulting to our holy Catholic faith." The censure passed on the second stated "that it contained such detestable bitterness of language, and contumelies so filled with poison, that they gave sufficient room for more than vehement suspicions respecting the faith of the author, manifesting his heretical spirit and bitter hatred against the Holy Office; for, in all the contents of the same, he has treated it as being cruel, tyrannical, unjust in all its proceedings, wily in its secresies, inhuman in its conduct to culprits, irregular in its mode of arresting and examining witnesses, the Jews and heretics it punishes as innocent persons," (that is, those it punishes supposing them such); "and that the whole writing was a glaring libel against the Holy Office and the inquisitors." So far Lamport against the Inquisition, and the proctor against Lamport.* It is easy to discover, on combining

* *Auto General de la Fe celebrado en México en 1659.* It is a thick tract in 4to, without any division of chapters or enumeration of pages.

these sentences together and analysing their context, that, according to the opinion of the tribunal, not only to criticise its laws, but also not to approve the conduct of its judges, is to discover an heretical spirit, give rise to more than vehement suspicions of heresy, and evince a principle of conduct offensive to the faith.

The name of the other culprit was Pedro Garcia de Arias, and he was accused of having said, when on trial, "that the inquisitors, after detaining him so long a time in prison, were resolved, at all events, to bring him in guilty," and with this giving to understand, that the tribunal could not err, when, in fact, it was erring; "which," the proctor observes, "he repeated with indescribable gestures and vehemence." *

I leave to the judgment of every rational reader to consider, what great discredit must have been brought upon religion by the prevalence of so absurd an opinion, sometimes spread abroad by the Inquisition in the most positive and conclusive terms, always authorised by its practices, and never contradicted by it, unless it is by the enormous

* Auto General de la Fe celebrado en México, above quoted.

blunders, in which it has left every other tribunal far behind. Really, in considering the resistance on the part of the sectaries to acknowledge the infallibility of the Church, might it not be asked, whether the zeal of our inquisitors, and the prodigality of our grovelling writers, who have not only extended this same infallibility to the Pope, but also to the Inquisition, have not greatly corroborated this resistance? This same senseless opinion of the vulgar did not escape the notice of the Spanish protestant, Cipriano de Valera; for, in reproving the catholics, he expresses himself in the following manner: "Our adversaries say, that the Church can make any apocryphal work canonical, which we deny. The false opinion they hold that neither the sovereign pontiffs, the Church, nor the council representing it, can err, (and even some add, the inquisitors,) causes them to fall into follies of this nature." *

In speaking of the manner in which the tribunal of Mexico recriminated the two above-mentioned culprits, I ought not to

* Cipriano de Valera, in his Exhortation to the Reader, or rather preface to his translation, or more properly his new edition, of the Bible of Casiodoro de Reyna in Spanish.

omit an interesting circumstance, and this is, that the judges who evinced so much zeal for the purity of the faith, and appeared so much offended that doubts should be entertained of the sanctity of the Inquisition, of the propriety of all its measures, and even of its infallibility, were precisely the same persons who, as we have already related, with so much perfidy falsified the letters written by the prebendary of La Puebla in favour of the venerable Palafox.* In the proceedings of the trial of Lamport, instituted by the said tribunal, mention is incidentally made of the death of the archbishop Don Juan de Mañozca, which occurred on the 13th Dec., 1650. The above culprit, as far as can be collected from the contents of his trial, was a man of the world; and, whilst in confinement, he also wrote against the conduct of the archbishop towards him. Who knows but his complaints were equally as well founded as those of Palafox! It is certain that great crimes are imputed to him; but, for my own part, as far as I have been able to judge of matters relating to the Inquisition, I have learnt how to appreciate

* Auto General de la Fe celebrado en México en 1659.

those truths it sometimes utters through mistake and in its own detriment; and, in like manner, I listen with distrust when it re-criminates its enemies. The other inquisitor, named Don Juan Saenz de Mañozca, appears in the file of proceedings as one of the presiding judges.

The second error cherished by the tribunal has been the belief in witches and sorcerers; and this is the error that has most brutified the people, and given most food to the cruelty of the Inquisition. The data by which I could prove the indiscretion and stupidity of the tribunal in this particular are infinite; but I will content myself with one case, for, besides being conclusive, it is undoubtedly original in its kind. Such do I consider the substance of various proceedings read in the auto de fe celebrated by the Inquisition of Logroño in the year 1610; in which, for similar crimes, eleven victims were condemned to the flames; five of whom were in effigy, and six in person. The capital points to which this ridiculous narrative may be reduced are three; viz. the reception of proselytes into the sect of the witches, and the profession of faith they make in the hands of Satan; their ordinary occupation in and

out of the Aquelarre or Meadow of the Cuckold, (*Prado del Cabron*) where they assemble, it being called so in the Biscayan language from the same lying near Zugarramurdi, a town of Navarre; and lastly the celebration of their mysteries on the principal festivals of the year. Following up this same order, it is stated, that the candidate for witchcraft, awakened in the night by his master or conductor, and being anointed in different parts of the body with a verdi-black water, is taken out of his house through the key-hole or some chink in the door, and carried through the air to the Aquelarre. He is there received by the devil, who then appears to him under a human form, seated in a chair of black wood, bearing a crown formed out of horns, his eyes fiery, his body and shape between a man and a goat, with the beard of the latter; his hands covered with sharp claws resembling those of a bird of rapine, and his feet like those of a goose. The proselyte then falls on his knees, and, renouncing God and both christs, he acknowledges Satan for his God and Lord; whom, as a sign of respect and vassalage, he kisses on the left hand, on the heart, on the

private parts, and, to complete all, under the tail, which resembles that of an ass. The devil then marks him as his own, by thrusting one of his claws into his body, and imprinting the figure of a small toad on the pupil of his eye with an iron; and this done, he presents him with some coins which soon afterwards disappear.

Each one of the practisers of witchcraft has a devil in the shape of a toad, dressed in cloth or velvet, with a hood of the same, and a necklace of small bells, assigned to him in the place of a tutelary angel. Out of these toads they obtain the water with which they anoint themselves, by treading upon them and pressing them softly against the ground. In the Aquelarre they have also flocks of real toads; the feeding of which is given in charge to the neophyte wizards and witches, who pasture them along the plain. As the object of these assemblies is to cause all kinds of injuries, the wizards and witches go forth when the trees and fields are in flower to collect serpents, lizards, snails, and other reptiles; and cutting them in small pieces, together with the toads taken out of the flocks, and mixing the whole in a boiler

with the bones and brains of dead persons collected out of the burying grounds, and boiling it up with the green and stinking water compressed out of the clothed toads, they prepare certain powders which they spread about on the farms, blight the flowers of the trees, and void the ears of corn. They injure grown-up persons by causing them to become ill of very grievous disorders, accompanied by intense pains, till at length they die; and this is done by introducing some of the above powders into their mouths whilst they are asleep. Boys they kill by scourging them with twigs of willow and thorn, without their being able to complain or receive any assistance from the family, because the devil holds them in a state of enchantment; and besides they smother children, or suck out their blood. Finally, when any of the witch-tribe die, his companions assemble in the night, and going to his grave and disinterring the body, they carry it to the Aquelarre, cut it in pieces, and with great rejoicings eat it.

But the greatest of all these extravagancies is the mass which Satan celebrates on each night preceding the festivals of Whitsuntide, Christmas, and Easter, as well as others.

After the witches and wizards have confessed to him, accusing themselves of the good they have done and the injury they have omitted to do, his attendant devils help him to put on his sacerdotal garments; having beforehand prepared an altar for him with his own figure upon it, and a canopy of black shabby cloth, together with all the ceremonial utensils. The choir commences in a low, harsh, and grating tone, and Satan reads out of a missal, as it were of stone, and then preaches a sermon, exhorting his hearers to acknowledge him for their only God and to do Christians all the harm in their power, promising paradise to them as a recompense. In the offertory, the priest being seated in his black chair, the witches arrive according to their antiquity, and adoring him with three genuflexions and the customary salutations, they offer alms in money, and the old squinting witches present cakes, eggs, and other eatables, which are received by the attendants. "The offering being made," (these are the precise words of the file of proceedings) "the devil proceeds on with his mass, and elevates a round substance, as if made of sole-leather, in which his own figure is repre-

sented; saying, This is my body: when all the witches and wizards placed on their knees adore it, strike their breasts and cry out, *Aquerragoiti, Aquerrabeiti*; which means *Cabron arriba, Cabron abaxo*. (Cuckold above, Cuckold below.) They also do the same when he elevates the chalice, seemingly of wood, black and ugly; and he then eats the host and drinks the contents of the chalice, and afterwards all the witches and wizards surround him, and he administers communion to them, giving them a mouthful of a black and extremely pungent substance, and then a drink of a very bitter liquor, which greatly chills their hearts. On the mass being ended, the devil," &c. (Here follows a description of the lewd and beastly orgies into which they rush, too revolting for the eye of any one.) So far the mad and doting Inquisition.*

* Auto of the Faith celebrated in Logroño, in 1610. This report was printed in the above city, in 1611, by Juan de Mongaston, after being examined and approved by the prior of St. Francis, censor to the Holy Office, and the same who carried the green cross in the procession, as well as by a canon of the Collegiate who bore it back to the church. This is the same work lately reprinted in Madrid, and adorned with excellent critico-burlesque

Martin Delrio states the heads of another trial similar to the one of Logroño, with the exception of the mass, contained in a sentence pronounced by the Inquisition of Avignon, in the year 1582.* This is as much as to say, that the inquisitors, in all times and places, have cherished and kept alive more or less the same prejudices.

It would be to underrate the national improvements of the present day were I to detain myself in proving the fantastical nature and ridiculous purport of the two preceding reports; of themselves and as they are, they cannot fail to strike even the most obtuse reader. I will only say, in confirmation of the criticism written by Feijoo on this subject,

notes. "It is now time," says the editor in his preface, "to produce documents in order that other pens, without exaggeration, without partiality, and without rancour, may describe the origin, progress, as well as the sighed-for termination of our calamity." Pedro Valencia, a celebrated literary character of that time, dared, according to the same editor, to reproach the inquisitor-general for this abuse of his jurisdiction; but he also adds that his production, which exists under a manuscript form, was disregarded; and it was fortunate enough the author had not to suffer on account of it.

* Martin Delrio, *Disquisit. Magicar. lib. v. sect. xvi.*

and this to his eternal praise, that several persons of research, on examining various files of proceedings handed about since they were taken out of the tribunal of Logroño through the late irruption of the French, have observed that nearly all relate to sorcery and witchcraft which are anterior to the middle of the last century, a period when the writings of the aforesaid author must have had their influence and produced some effect on the public mind. It is also presumable that the same must have happened in the other tribunals. It would consequently result that this learned writer in a few years succeeded in extirpating with his pen, what so many ignorant characters during so many ages could not do by wielding the sword, since all their labours seemed to have a contrary effect, and rather increased the evil. Some of the patrons of the Inquisition, confounded at the sight of so much weakness and absurdity, and unable to answer the proofs presented, as well as others of a similar class, say that the Inquisition punished what are called witches and wizards, not because it considered their crimes as real and certain, but in consequence of the depraved inclination with which they embraced as real the

impious dreams of their imagination. But this answer far from justifying the tribunal, even were it well founded, would only serve to aggravate its proceedings the more; since by not undeceiving the people, which it has never done, it knowingly has canonized an error which, from many respects, it was bound to condemn. By merely turning over the authors who treat on its mode of judicial procedure, any one will be convinced that the belief in spells and witchcraft had taken as firm hold on the inquisitors as the common people themselves, nay even possibly greater.

Of this error in the Inquisition we have besides a most striking proof in the case of Father Froilan Diaz, confessor to Charles II. and member of the Council of the Supreme. From these proceedings it results that the said Father, being desirous, in accord with the Inquisitor General Father Juan Tomas Rocaberti, to discover a remedy for the convulsive attacks and other disorders under which the King laboured, and suspecting that he was bewitched (as the tribunal had before done in the time of the Inquisitor Valladares,) he for this purpose consulted three demoniac nuns of the monastery Cángas, through the

medium of their vicar, with whom he kept up a long correspondence respecting the means of exorcising them and conjuring the devil, to the end that he might declare the author of the spell and the means of destroying it. He also consulted another demoniac woman, resident in Madrid, and each step he took in this affair having tended only to confuse it the more, owing to the contradictions resulting from the above inquiries, as well as others made of a woman possessed of the devil in Vienna, he derived no other fruit from the whole transaction than to disturb the hapless patient still more, and perhaps hastening his death with the potions they gave him. His simplicity in like manner brought upon Diaz the persecution of the Inquisitor General Don Balthazar de Mendoza, successor of Rocaberti, who, desirous of pleasing the queen, offended that part of the enchantment had been attributed to her, ordered him to be arrested in Rome, whither he had escaped. It was the intention of the Inquisitor to institute a suit against him, and bring him forth in a private auto de fe, but in this he did not succeed, for he was deposed by Philip V. in consequence of his having thereby offended the Council of the Supreme ;

thus giving rise to no small murmurs and laughter at court, as well as among the whole nation.*

* A criminal process fulminated against Father Froilan Diaz, from the year 1698 to 1704, written about that time, and printed in Madrid in 1788. The editor, as may be seen by comparing the printed with the manuscript copies, suppressed some passages in consequence of their being too repugnant to common sense, and among them the following one, in which the vicar of Cángas in answer to the complaints addressed to him by the Inquisitor General and his counsellor Diaz, respecting the want of improvement in the King's health, notwithstanding the remedies prescribed by the devil, makes use of the following words: "How is it their Lordships can expect the King to get well? Is not the Most Holy Sacrament kept in the dark; are not the religious orders enduring hunger; are not the hospitals shut up, and the blessed souls in Purgatory suffering for the want of masses? And above all, the King has not done justice, when he promised to do it, to a Holy Cross." It is very singular under the total disorganization the monarchy at that time experienced, that the King should be blamed on no score except because he did not attend as much as the Father Vicar desired to pious establishments, and to the celebration of masses. The Holy Cross of which he speaks, was most probably the one with a silver shoe belonging to the convent of the Dominicans of Atocha: at least it was in the chapel of the Virgin of said convent that the devil offered to declare the author of the charm, prescribing as a condition, "that the devotion to the above holy image, which had greatly cooled, should be restored." It would be necessary to agree that the friars,

More serious and more fundamental than the preceding are two other proofs which I am about to present of the mad delusion under which the tribunal laboured in this respect. The first is, that considering this crime extremely difficult to prove, because the witches held their conventicles at an unusual hour of the night and in uninhabited places, light evidence was sufficient to question them under torture, and age and ugliness in women were deemed very powerful signs.* This was actually believed by the Inquisition, yet the second case is still stronger. The tribunal imagined that the culprits accused of similar crimes rendered themselves insensible to pain in consequence of their having some spell attached to the hair of the body. In order to prevent this trick it adopted as the best possible means the shaving of the head, face, and other parts where the spell might be secreted. Thus owing to the consummate

especially the Dominicans, have in the devil a great and watchful promoter of their interests, if we did not know that the persons possessed by the devil were Dominican nuns, that the exorcist was a Dominican, and that Father Froilan Diaz, as well as the Inquisitor General, were also of the same order.

* Delrio, *Disquisit. Magicar.* lib. v. Append. ii. quest. xxii.—Massini, *Prattica della Santa Inquisizione*, part vii.

ignorance of the tribunal those unhappy people had to suffer, more particularly the women from the shameless manner in which they were exposed, an atrocious martyrdom before they were placed on the torture or thrown into the flames. In this manner, in the year 1585, the Inquisition of Como, in Italy, burnt 41 females, after the above operation had been previously performed.* Hence therefore is the supposition brought forward as an excuse for such conduct both groundless and capricious. Neither ought the general manner in which in the preceding ages credit was given among all nations to

* Delrio, *Disquisit. Magicar.* lib. v. sect. ix. “*Tertio debent capilli capitis et barbæ abradi, immo et per totum corpus, etiam in partibus secretioribus, si feminae sint a feminis, si viri a viris, et sic cavebitur inhonestas et inverecundia, propter quam Inquisitores Germanici Sprengerus et socii non ausi fuerunt hoc uti remedio ut ipsimet profiterentur, addentes alibi hoc in usu esse.*” Could any consideration observed towards the sex in the election of the executioners nevertheless prevent shame from being extremely great? He then quotes the precise words of Sprenger and his companions, which are these: “*Tamen inquirunt, in aliis regnis Inquisitores talem per totum corpus abrasuram fieri mandant. Unde et Cumanus Inquisitor nobis insinuat quod anno elapso, qui fuit 1485, unam et quadraginta maleficas incinerari mandasset, omnibus per totum corpus abrais.*”

these frenzies, to be considered as an apology in the present case. I should myself be inclined to excuse, by attributing this prejudice to a want of information in our ancestors, rather than to the real grounds on which it rests, if, like other tribunals, the Inquisition had acted from candid motives; but as it has had the petulancy to proclaim itself as omniscient and unerring, and has closed the mouth of every one who laboured to undeceive it, in this respect I consider it highly deserving of public execration.

Let us now proceed to examine the third error the Inquisition has inculcated and defended as a truth of the faith, and this is the power of the Church over kings in temporal matters. If the concession of spiritual authority in favour of priests is manifest in the Gospel, the conservation in all their integrity of the rights and prerogatives of nations is not less so. But what is vulgarly said of heretics, viz. that they model the Scriptures like a waxen nose, giving it the shape that best suits them, may also be affirmed of the Decretalists and Scholastics, for they have made it pointed, aquiline, Roman, and they have also completely flattened it when they wished none to appear. “ My kingdom is not of this

world," said Jesus Christ to Pilate, in answer to the accusation he had preferred against him of aspiring to the monarchy.* "Who has constituted me judge between thee and thy brother?" did he also answer to him who solicited sentence respecting the partition of the property he had just inherited.† In like manner did he say to the emissaries of the Pharisees, who were preparing for him a snare in order to accuse him of sedition, "Give to Cæsar the things which are Cæsar's, and unto God those which are God's."‡ There is nothing more categorical, nor more conclusive against the temporal power of the Church, than these same passages; nevertheless the popes, and in imitation of them the inquisitors, have interpreted them as if they meant nothing in the case, or as if their real signification was quite the reverse. Such is the influence of a thirst for sway.

In the middle ages, when seculars with regard to politics and literature were completely blind, and even the Charlemaignes did not

* S. Johan. cap. xviii. v. 36. "*Regnum meum non est de hoc mundo.*"

† S. Luc. cap. xii. v. 14. "*Homo quis me constituit judicem, aut divisorem inter vos?*"

‡ S. Matth. cap. xx. v. 21. "*Reddite, ergo, quæ sunt Cæsaris Cæsari, et quæ sunt Dei Deo.*"

know how to read and write, the clergy, sufficiently well informed to avail themselves of the favourable opportunity, extended their powers so widely that they nearly absorbed the regal power. Hence arose the competitions and even the wars declared against Rome when the nations awoke from their lethargy; and hence the multitude of concordates between the papal see and the other Christian courts, in which the despoiled, capitulating with the invader for the sake of peace, submitted to acknowledge one part of his usurpation as just. "The disorder which it is pretended to cure," said Melchor Cano to Charles V., speaking of the ambition of the Italians, "is, as far as can be understood, incurable; and it is a great error to attempt the cure of sick persons who with medicines get worse. *Plus habet aliquando discriminis tentata curatio, quam ipse morbus.* There are disorders which it is better to leave to themselves, and let the evil make away with the patient, rather than hurry on the physician. Badly does he know Rome who pretends to heal her. *Curavimus Babylonem, et non est sanata.* Sick for many years, already gone beyond the tertian stage, consumptive, the fever confirmed in her bones, her disorder

has at length arrived at such a pitch as to be beyond the power of remedy.”* Undoubtedly inquisitorial zeal powerfully contributed to sustain this evil, of which among other documents ample testimony is found in the bull “*In Coena Domini*,” published by Paul III., the restorer of the Inquisition in Italy, and defended with singular firmness by Pius V., formerly an inquisitor, and during his pontificate a most zealous promoter of the tribunal, but repelled in the part relating to royal prerogatives, by all the monarchs respectively.

As a last resource Paul V. availed himself of the Inquisition in his attempts against the sovereign rights of the republic of Venice. The senate had published two decrees, one of which prohibited the building of new hospitals or convents, and the establishment of new corporations; and the other was a renewal of an ancient decree which made it unlawful to sell, transfer, or under any title

* Melchor Cano, in his “*Opinion given to the Emperor Charles V. respecting a declaration of war against the Pope.*” This paper is inserted in Campománe’s work entitled “*Judicio Imparcial*,” &c. or “*An Impartial Report on the letters, in the form of briefs, which have been published by the Court of Rome, wherein it is attempted to derogate certain edicts of the Prince Infante of Parma.*”

whatever to dispose of fixed property. in favour of the clergy without permission of the said senate; and it had besides imprisoned certain ecclesiastics accused of enormous crimes, for the purpose of bringing them to trial. The pope commanded the nuncio, his representative, to demand the revocation of the decrees and the enlargement of the prisoners; but as his solicitations were disregarded, he addressed two briefs in the form of admonitions to the Doge and the republic, declaring them excommunicated if they did not comply with his orders within the term of 24 days, and besides placing an interdict on the above states if the compliance was delayed three days longer. The Venetian senate on seeing this commanded the nuncio to leave the country, and the council of the Ten, afterwards assembling the prelates and superiors of convents, enjoined them to continue celebrating the divine office as usual. Almost all obeyed, with the exception of the Jesuits, for which reason the senate expelled them from the territory of the republic for ever, giving a just example of severity, afterwards successively followed by France, Portugal, and Spain, proportionably as the measure of their crimes was filled up.

The pope then undertook to declare war against the Venetians, and also endeavoured to prevail on several princes to do the same, but as no one appeared willing to enter into the league, since all saw that the war was against their own rights, the contest was reduced to apologies and recriminations. The Romans, however, did not neglect their own ends, but availing themselves of their customary allegation, that is, to implicate all opposition to their pretensions as heretical, they caused the Inquisition to prohibit the principal writings of the opposite party.

This the tribunal carried into effect, prohibiting among other things a defence of the treatise of Gerson respecting excommunication written by Father Paolo Sarpi, and at the same time ordering the author to appear in Rome, who did not obey. Among other propositions sustained by the Romans but of which the opposite ones were condemned by the Inquisition, was this, that the pope is the universal monarch of the world, and that as such he can deprive princes of their kingdoms through faults they may have committed in their government, and merely on the plea of this being conformable to the good of the Church; and that if the latter did not

from the beginning display the whole extent of her temporal power, it was in order not to alarm them. It was not difficult to destroy such preposterous assertions; for which reason Paul V., seeing that the more his cause was discussed the worse it became, endeavoured to arrange matters by means of a negotiation proposed by Henry IV. Father Sarpi was never pardoned for having risen up as the champion of his party, and assassins were employed who gave him fifteen stabs, but fortunately no one proved mortal. Thirty-six ecclesiastics were besides confined in prisons and deprived of all future promotion, in consequence of their having evinced most zeal for the rights of their nation.*

In order to give strength to this fatal delusion, the Inquisition has at all times protected the writers who promoted it, and uniformly condemned all those who have had the firmness to refute it, or in any way whatever to make it known. Of the latter I will only quote three cases; which are, Juan de Solórzano, Francisco Salgado, and Father Belando. The prohibition which the Inquisition of Rome enacted for the works of the

* Vita del P. Paolo Sarpi, written by his companion Father Fulgenzio.

two first caused Philip IV. to communicate the following order to cardinal Borja, his ambassador at the above court: "I have been informed," says he, "that in the court of Rome great care is taken for those who print books to write in favour of ecclesiastical jurisdiction, on all the points in which controversies and competitions may occur with the secular authority; and that, in matters relating to immunities, privileges, and exemptions of the clergy, they assert and uphold those opinions most favourable to the latter, by prohibiting and impeding the circulation of all works published and containing a defence of my rights, royal prerogatives, and pre-eminences, notwithstanding this is done on the best grounds taken out of the laws, canons, councils, the doctrines of saints, as well as of weighty and ancient doctors. I have further been informed, that the Italian prelates act on the same principle of vigilance; by which means, in the course of a short time, they will render all the opinions in their own favour general; and, in conformity to them, judgments will be passed in all the tribunals. This is a newly introduced principle that requires a remedy, for few authors will wish to expose themselves

to the danger of their works being called in, and when any one dares to publish, his labours will be of no avail. Thus does it happen that, of modern authors, scarcely one can be found who does not favour the clergy. Desirous of putting a stop to this evil, it has appeared to me proper to direct you to speak to his holiness, requesting of him that, in matters which are not of the faith, but of controversy respecting jurisdiction, and other similar subjects, he will be pleased to let every one think and deliver his sentiments in a free manner. And tell his holiness that, if he should order those works to be called in which may be published with opinions favourable to secular jurisdiction, I will command all those to be prohibited which may be written against my rights and royal pre-eminences; and give him to understand, that this shall really be done if his holiness does not agree to what is so just and reasonable." *

The Civil History of Spain, from the year 1700 to 1733, by Father Belando, was prohibited with all kinds of censures by our Inquisition; because in it the author gives an account of the disputes respecting royal

* Royal Order of 10th April, 1634.

prerogatives, which about that time took place between our court and that of Rome. Of no avail were the candour and sincerity with which this work is written, nor were the various approbations it received of any service to the author, though one of them was drawn up by a censor named by the king, to whom the work was dedicated. Notwithstanding all, the papers he had written in his own defence were seized; and, after being confined to a dungeon, and the attorney who pleaded for him cited before the judges, this unfortunate writer was banished from Madrid, without ever having been able to obtain a hearing, though he incessantly solicited it, and died at a very advanced age.* Finally, the trial of Lamport, above spoken of, not only evinces, that the inquisitors have attributed to the Church undue powers over temporal concerns, but likewise that they have raised this their opinion into a dogma of the faith. The writing of the following proposition was imputed to the last-mentioned culprit as a crime: "There is no Christian king who is bound to acknow-

* Consultation held with his Majesty on Nov. 30, 1768, on the part of the lords of the extraordinary council and prelates holding a vote therein, n. 38 and 39, MS.

ledge the Pope in any thing temporal, neither did Christ give power to St. Peter unless in spiritual matters." In like manner, and in conformity to this doctrine, he was accused of having maintained, that the Pope was not authorized to grant to our kings dominion over America. But could any one doubt that if we Spaniards, by the title of conquest or any other whatever had a right to establish colonies there, the sanction of the Pope was then useless; and that if we did not possess this right, that no bull whatsoever sufficed to legalize such an acquisition?

The Inquisition most assuredly has often stumbled in all its affairs; but, with regard to the promulgation of dogmas, few tribunals have slid into so many errors as that of Mexico. In an edict, dated August 27, 1808, it uses the following words: " Know ye, that the sovereign pontiffs, and among them Clement XI., have recommended to the holy office of the Inquisition of Spain to be careful and watch over the fidelity which all their vassals, of whatsoever rank, class, or condition they may be, owe to their Catholic Majesties." It afterwards adds, " Therefore stimulated by our obligation of procuring that the throne of our august monarch,

Ferdinand VII., he consolidated, we establish as a rule which is to serve as a touch-stone to all the propositions ye may read or hear, that the king receives his power and authority from God, and that this ye are bound to believe with divine faith." The tribunal then concludes: "For the more exact observance of these principles, we renew our prohibition of all and any books and papers, as well as every kind of doctrine which may influence, or in any manner co-operate to independence of, or insubordination to the lawful authorities, whether it be by renewing the manifest heresy of the sovereignty of the people, according as it has been dogmatised and taught by some philosophers, or by adopting their system only in part." * With such arrogance as this does the tribunal raise to an axiom of religion an error not less classical in politics than, in mathematics it would be, to deny that the whole is greater than part, or that this is smaller than the whole.

One of the worst and most operative effects produced among us, through the ignorance cherished by this tribunal, has been a false devotion, or what we call by another name,

* This edict was inserted in the Diary of Mexico of 5th Sept. of same year 1808.

hypocrisy. As so many individuals, and even corporations, have lived by this vice, it is not to be wondered at that the Inquisition has been so condescending in this particular when its existence was intimately interwoven with it. It is really pitiful to behold the state of fatuity in which pious prejudices hold the common people; for, if their religion is examined by the sentiments it excites in the heart, it rather resembles polytheism or idolatry than a true worship of the divinity. The idea they have formed to themselves of the Supreme Being is most miserable; and, in the mean time absorbed in rapture, they almost exclusively raise their supplications to the saints, from whom they expect all protection. It is not difficult to point out the cause of this confusion, or rather it is well known. God is in all parts, and is every where found by him who implores his aid; but the saints, under this or the other tutelary form, are only to be found in the temples; for which reason, it is necessary for him who requires their aid to go there. Hence such an infinite diversity of rogations and ecclesiastical ceremonies; many of them injurious to the majesty of the Gospel, and which rather conduce to blunt the remorse of con-

science than amend the habits; rather to dissipate the spirit than edify it. Thus is it that, in the midst of such a parade of sanctity, and among such a number who consider themselves on the summit of perfection, vices in Spain are the same as in other countries, and nothing is so scarce as solid virtue. When will it please God to let us have fewer devotees, and more upright men?

A tinsel virtue, resting on a certain love of the marvellous, is what thrives by the side of the Inquisition, at the same time that the really virtuous are exposed to danger, as happened to Saint Ignatius de Loyola, who went from Spain to Paris flying from it; and also to Saint Teresa of Jesus, who some assert was imprisoned; and indeed others have undergone punishment, as the venerable Thomas de Valmacinaya, anchoret of mount Gualdo, in Umbria, who, being twice arrested by the tribunal of Sienna, did not escape the second time till after the torture had been inflicted upon him.*

Who could believe, at the beginning of the 19th century, and in the very heart of the kingdom, where the want of information

* Cornejo Crónica de la Orden de S. Francisco, part i. cap. xxvii. and xxix.

has not been so great, that three poor women, feigning special favours from heaven, would be able to delude multitudes of people, and be applauded by ministers of the altar? The devotee of Alcalá de Henares, sweating blood by a supernatural effect, and in memory of the passion of Jesus Christ; the one of Cuença, hypostatically united to the Divine word, and in the middle of the day, accompanied with lights as if her person was one of the Trinity; the one also of Madrid, living almost on the communion alone, which she received in her own house; where, by a dispensation from Rome, she made a solemn profession of the Capuchin order, and where day and night she kept the sacrament, in consequence of her being unable to go out, owing to a state of extreme weakness occasioned by her penance and intense contemplations;—how much have not these instances scandalized the public, and how much have they not discredited true piety? The Inquisition at last arrested them,—proved that they were impostors, and even prostitutes,—ascertained that individuals belonging to both branches of the clergy, either through ignorance or evil intention, had aided in the fiction,—punished those who were proved guilty;

but of what avail is it to prune the branches when the evil lies in the root? Instead of putting the people on their guard against the fond suggestions of self-love, never so dangerous as in matters of religion, they have been fed up with chimeras, which at one time have rendered them rashly confident, and at another cast them down, even to despair. Miracles worked by the Omnipotent, as it were for amusement, and horrid apparitions of condemned souls, have constituted the ordinary reading and conversation of the common people; yet the index of prohibited books, so completely crowded with works of learning, scarcely contains one of the many which have served to cherish and diffuse this public credulity.

The great power of the religious bodies, and the burdens and hardships they have brought upon the monarchy, through the indefinite number of their convents, as well as their immense riches, are principally owing to the support they have found in the Inquisition. Of a singular nature indeed is the condemnation of the following proposition, to be seen in the index of prohibited books for the year 1584, page 75: "*Monachi non tantum orationi vacare debent; sed etiam*

operari." "Monks ought not only to pray, but also to work." Another equally curious is read in page 85. "*Fortassis expediat rei-publicæ monasteriorum esse modum.*" "It might possibly be for the good of the state to reduce the number of convents." Neither is the favour this tribunal has shewn to those religious orders which are not possessed of real property less remarkable. The ministry of preaching, which like a branch of industry therein supplies the want of property, and even affords an income to the members, after being in a great measure withdrawn from the inspection of the bishops, became adulterated by numberless abuses consequent to such an emancipation; abuses which many zealous men were nevertheless compelled to respect by their silence, although they shuddered at the idea of such dereliction and venality. This is evinced in Father Isla; whose sportive "History of Father Gerund de Campazas" was proscribed by the Inquisition, because he therein depicts, in natural colours, the vices of the friars in their mode of preaching. Thus whilst our neighbours the French, by banishing from their pulpits the depraved taste introduced by the pseudo-scholars of the 17th century, beheld a Chry-

sostom, a Gregory Nazianzen, revive in their Flechiers, Bourdaloues, and Massillons,—in the pulpits of Spain all was vulgarity, extravagance, and folly; and this is in a great measure the case even up to the present day.

The above-mentioned work of Father Isla was received in, as well as out of, Spain with extraordinary applause; and no other than the regular orders, and indeed not all of them, together with some seculars, declared themselves enemies against it; and these, according to the author's words in a letter to Don Nicolas de Ayala, his brother-in-law, had either not read it, or were incapable of any other sentiments than those suggested by the former. When the Inquisition ordered the re-impression of the first volume to be suspended, (the first edition having been sold off in twenty-four hours,) and also the printing of the second, till both were examined, the work was recommended to the Inquisitor General, by the president of the council, the cardinal archbishop of Seville, the archbishop of Zaragoza, the commissary-general of La Cruzada, the bishop of Leon, the bishop of Guadix, and other great personages; nevertheless the friars prevailed, and the tribunal condemned it under sentence of the 10th of May, 1760,

because it contained, according to the tenor thereof, "many propositions ill-sounding, erroneous, heretical, or *sapientes hæresim*." The reason of the unsuccessful issue of this affair had already been stated by the author to his afore-mentioned brother-in-law in the following words: "Sixty thousand enemies at least who are continually howling, aided by highly respectable wigs, and even some mitres with or without cowls, are not antecedents from which happy consequences can be inferred. It is indeed certain, that the party favourable to the work is incomparably more numerous and of much higher respect; but as it does not raise its cries so high, for pleasure never excites a scream so loud as pain, it is to be feared that this party cannot be considered so much interested as it really is by reason and religion. On the whole, I neither despair nor confide, except with that confidence which I have placed in God alone, whose cause I think I am defending."* The Spanish people by calling, with Father Isla, bad preachers Gerunds has given to the work the most honourable approbation.

* Vide his "Familiar Letters," vol ii. letter lxxiii. lxx. and lxxi., and vol. vi. letter cxxxviii. Vide also his Life, written by Don José Ignacio de Salas.

Having shown that this tribunal has persecuted literary characters, in their persons and writings, and that it has moreover disseminated fatal errors,—as a necessary consequence we deduce, that among us it has obstructed the progress of science and contributed to diminish its ancient splendour, which constituted the object of the present chapter. I say that the Inquisition has contributed to this decline, because, if of itself it was capable of producing such an effect, it cannot be denied that various causes have also conspired to the same end. The annihilation of the public treasury, which commenced on the close of the reign of Philip II. in consequence of the immense expenses brought upon this prince by his ambition, and which increased to a great extreme during the weak reigns of Philip III., Philip IV., and Charles II.; the depopulation of the Peninsula, from the continual emigrations of its inhabitants to the New World,—the military expeditions to Italy and the Low Countries,—the garrisoning of strong places,—together with the unlimited protection, or rather encouragement, given to ecclesiastical celibacy by their Catholic Majesties, and a large portion of property falling into mortmain; such, among

others, were the political errors associated with this tribunal, most of them sustained by it, in order to undermine and destroy all the knowledge that still remained among us.

Its apologists will nevertheless object to the deductions here drawn, by asking whether the happy reigns of Ferdinand the Catholic, Charles V., and Philip II., which united certainly form the golden age of Spain,—when our literary, equal to our military, glory exceeded that of other nations,—does not suffice to destroy all these allegations respecting the oppression endured by men of talents under the Inquisition; since it was at that period that the latter extended itself and enjoyed greater authority? In order to do away with this argument, it is merely necessary to observe, that the ancient knowledge of which we Spaniards boast, although great, nevertheless possessed much exaggeration; it was not so general as was to be wished; it had not arrived at the pitch of which it was capable, neither was it comparable to that of Greece or Rome, or equal to that of other nations now enlightened. True it is, that Spain at that time appeared in the eyes of Europe as an unequalled object of greatness; but it was in consequence of the sudden

accession of new dominions, obtained either by marriage, the inheritance of her princes, or finally by the discovery of America. Yet this was not a greatness founded on and cemented by a good system of legislation, nor supported by the wise institutions which make an empire solidly happy. On the other hand, it is necessary to observe, that this tribunal in its persecutions has not always followed the same course, but various ones; and that, on its establishment in Seville, the sciences were not the objects which at first occupied its attention. Their Catholic Majesties Ferdinand and Isabella adopted it for the purpose of ridding themselves, through its means, of the Jews and Moors; whose number and riches, it was said, threatened the kingdom; and, in fact, it put an end to them, without causing at that time any other great ravages. Several theological disputes afterwards occurred, and with them the disturbances of the north; and the tribunal did not stop till, under that pretext, and in order to serve the purpose of the school cabals and other interested views, it had terrified and caused the great divines, and professors of the other sciences connected with religion, to disappear. Finally, other

nations within the two last centuries having made considerable advances in politics, as well as in church discipline, it has omitted nothing that might tend to destroy the seeds which, in spite of its exertions, and in the face of a thousand dangers, some national writers, not less deserving of the Church than the state, have sown on our soil; and, beyond doubt, it would have proceeded on in the same barbarous course, had it not been stopped in its career by the present unexpected revolution.

But has not the Inquisition likewise lorded it over Italy, without preventing the sciences from flourishing there, the same as in other countries; and is this not the same Italy that gave shelter to the learned Greeks who, flying from the Ottoman invasion, spread the relics of science throughout the west? This new objection however proves nothing against the truth of my assertions; for, independent of terror in the above kingdom never having equalled that which was exercised among us, two powerful causes there concurred to diminish, and almost to neutralize, the influence of the tribunal over letters. One is the policy with which the Italians have at all times consulted their pecuniary interests, postponing

to them every other consideration. For this reason they have been sufficiently tolerant, even so far as to allow the Jewish worship among them whilst, by means of the Inquisition, it was destroyed in other countries. The other reason of difference, at least as far as relates to the states of the Church, is that the popes, being at the same time temporal princes, had no occasion there, as in other parts, to undermine the rights of the secular authorities; consequently the ignorance of their subjects was less useful to them, and less necessary was the aid of the Inquisition.*

* Whether ought we to attribute to the Inquisition, or to a want of natural disposition, as some pretend, the greater backwardness in science, principally in the ecclesiastical branches, which is remarkable in Catalonia compared with the other provinces of the kingdom? That this backwardness really exists, independent of other proofs, is evinced by the literary histories in which we find no learned men of the first order natives of the above principality, and very few of the second. A singular phenomenon indeed, if we reflect that Catalonia, in the 14th century, was by her traffic and navigation the mistress of the Mediterranean; independent of her abundant population and well-known industry, which one would imagine would promise the same rich fruits in literature as those she reaps in agriculture, arts, and commerce. Our surprise, however, ceases when we reflect that the Inquisition was established in this province two centuries and a half

sooner than in the interior of the kingdom; and that besides this having taken place prior to the revival of letters, inquisitorial fanaticism must have therein taken deeper root, by entering with all that fury acquired from its recent organisation. Why then go in search of any other cause for this backwardness in science? This will not be the case as soon as the author of her prejudices is exterminated, and his yoke completely shaken off. Nevertheless it is indispensably necessary that the Catalonians should abandon their provincial language, or else cultivate it so as to approximate it in every possible degree to the Castilian (which probably would not be difficult) if it is their desire, under the new institutions, to be more closely connected with the rest of the nation, and stand on an equal footing. Let us now undeceive ourselves and understand that the Catalanian otherwise will always be as a foreigner in his own country, and consequently deprived of a large share of that knowledge obtained by a reciprocal communication of ideas, an advantage alone enjoyed by one who possesses the national language as his own.

CHAPTER VI.

This Tribunal has supported the Despotism of Kings, and has itself exercised it.

COULD an establishment under every respect vicious, and in which hypocrisy and cruelty have been wielded as principal abuses, fail to be a proper instrument to serve the purposes of despots? None of the latter make a boast of being such; on the contrary, all keep up appearances; and, whilst abusing their authority, in some measure consult the public opinion, with which they avoid openly clashing. If so, what other more adequate means could they desire to conciliate their tyranny with public sentiment, than for this tribunal to intervene between their crimes? Would not the obscurity with which the latter shrouds its proceedings, and the inextricable mazes it spreads around its paths, greatly facilitate the execution of their plans, but more especially when the mysterious parade of religion is added thereto? Experience, alas! has too fully substantiated this

sad truth. The obligations of the prince towards his people thence became confounded, and the rights of the latter disfigured by the mean policy which, as we have already shown, has been observed by the Inquisition in the prohibition of books. The latter has not been satisfied with procuring to kings an undue and overgrown authority, but it has likewise lent itself in determined cases as a blind instrument to the co-operation of their designs of vengeance, or of any other unbridled passion. Some of these cases most remarkable in history will demonstrate the truth of this first part of my proposition.

The first I shall adduce is the prosecution of the Templars. There can be no doubt that every religious order, as well as every corporation of whatever class it may be, ought to be abolished from the moment it becomes burdensome to society; and from this evident rule monarchs enjoy a full power to suppress them. Notwithstanding this, and that the Templars by their numerous convents and incalculable riches brought considerable injury upon the nations, Philip IV., King of France, offended apparently because in his disputes with Boniface VIII. some of

the above knights had supplied this pope with money to carry on the war against him, preferred imbruing his hands in the blood of the whole order in a manner that will eternally dishonour him. The chair of St. Peter was at this time occupied by Clement V., a Frenchman and immoral in his character, who, having been raised to the papal see through the intrigues of Philip, depended entirely on the will of his patron. The latter, secure of meeting with no obstacles on the part of the pope, proceeded to carry his projects into execution by receiving two apostate persons belonging to the same order as accusers who were then confined within its prisons, and by seeking out a tribunal whose dark proceedings might facilitate the completion of his design. Such was the Inquisition, which at that time still existed in France.

The crimes imputed to the Templars were various, and all of a most heinous nature. It was said, among other things, that at the time they made their profession, after certain obscene ceremonies, they promised to deliver themselves up to the lewdness of their companions, and that, in reality, sodomy was frequent among them; that they abjured the

Christian religion by spitting on a crucifix; and that they adored a head similar to that of a man, covered with black and curly hairs, and having a gold ornament round the neck. More than two hundred witnesses deposed against the accused, and even of the latter as many as one hundred and one confessed themselves guilty before the chief inquisitor of Paris. Seventy-one others did the same in Poitiers, where the pope himself was, they having been judged by a tribunal composed of three cardinals; and it is besides added, that before the same the grand master of Cyprus, the masters of Poitou, Vienne, and Normandy, also acknowledged themselves guilty. If we were to abide by these assertions, the crimes of the Templars would be undeniable; and indeed their probability is greatly increased in consequence of the extinction of the order having been decreed by the general council of Vienne, assembled for this express purpose. Their innocence nevertheless is generally held as certain by most authors, if we except the French, whose pens have been guided by flattery or partiality; and even among them some are not wanting, ancient as well as modern, who have acknowledged it. The

following are the reasons on which they ground themselves:

In the first place, the greatest part of the declarations of the witnesses against the Templars were vague, and very few such as substantiated the charge of their abjuring religion. And, in truth, what could they have gained by disowning a religion by means of which they lived with splendour? In the second place, the infamous ceremony used at their reception into the order is absolutely improbable, since there never was seen a re-union of men sustaining themselves by a depravation of manners, and much less by an abominable prostitution. In the third place, the head or idol which it was attempted to suppose they adored, adding that it existed in Marseilles, was neither presented to the judges, as it ought to have been since it constituted one of the points of guilt, nor did they take any pains to find it out. Besides, how was it possible that excesses of such a nature, when they were common to the whole fraternity, could have remained secret for such a number of years? Would they not have been revealed, as a relief to the conscience, by some of the Templars who died out of their convent? Neither ought the confession

be taken as a proof of their criminality, since it was extorted through the force of torments; more especially when, according to the practice of the Inquisition itself, impunity was granted to those who confessed themselves guilty. In like manner no convincing argument to prove their criminality can be deduced from the extinction of their order, which followed the sentence pronounced by the tribunal; since, as may be collected from the context of the decree, this had become a measure of prudence which circumstances imperiously demanded.*

On the other hand, the conjectures in favour of the Templars are extremely strong, and at the same time prove the odium with which they were persecuted, as well as the injustice of this persecution. Such is the fact of seventy-four of them, who were not accused, having stepped forward to defend the order, and their defence was not admitted;

* Clement V. in his bull "*Ad Providam*," read in the Council of Vienne, thus expresses himself: "*Ejus ordinis statum, habitum atque nomen non sine cordis amaritudine et dolore, sacro approbante Concilio, non per modum definitivæ sententiæ, quum eam super hoc secundum inquisitiones, et processus super his habitos non possemus ferre de jure, sed per viam provisionis seu ordinationis Apostolicæ irrefragabili et perpetuo valitura sustulimus sanctione.*"

such was the circumstance of fifty-nine of them in Paris, in one day, suffering themselves to be burnt alive, rather than confess crimes of which they protested they were innocent; such, in short, is the harangue which Jacob Mola, grand-master and general of the order, addressed to the people of the above capital from the place of execution; and which, extracted from Mariana's History of Spain, is in the following words: "As the end of life is not the time to utter falsehoods even though advantage would follow, I swear by every thing sacred, that what has been alleged as a crime against the Templars, and is now referred in the sentence pronounced against me, is false and unfounded, for this order is holy and Catholic. It is I who merit death, for having raised false testimony against it, by imputing to it crimes devoid of all truth, from being persuaded so to do by the pope and the king, and which would to heavens I had never done. It now only remains for me to pray to God to pardon me; and I at the same time request, that the torments I am to endure may be as severe as possible, if happily, by this means, the divine anger against me can be appeased. My life I neither wish nor want, since it would be stained with so great

a crime as that they now invite me to commit afresh." * As a stronger confirmation of the outrage committed against those unfortunate people by the Inquisition of France, I ought to add that in the other kingdoms, such as Spain, Italy, Germany, and England, where no interest existed in finding them guilty, and where the inquisitors did not intervene, or gave their sentence united with the bishops in a provincial synod, they were generally absolved, nor was capital punishment inflicted on a single one.†

The criminal suit instituted against Prince Charles, eldest son of Philip II. king of Spain, and the death which followed it, is one of the passages of history most disgraceful to the name of that monarch, and another of the most convincing proofs that the Inquisition has at all times been the instrument of despots. Foreign writers, who possibly may be charged with animosity, draw a picture of this event in which the cruelty and hypocrisy of Philip shine in the most glaring

* Mariana, *Historia de España*, lib. xv. cap. x.

† Feijoo, tom. i. cart. xxviii. *Campománes*, *Disertaciones Históricas del Orden de los Templarios*, from v. to viii. Racine, *Abregé de l'Hist. Ecclesiast.* tom. vi. siecl. xiv. *Encyclop.* art. *Templiers*.

colours ; whilst on the contrary, our own represent him in such a manner as to do honour to his clemency and generosity. I at once ought to coincide with the latter as supposing them best informed, if the character of that monarch was less known to me, and our historians had then been at full liberty to express their real sentiments ; but will the authority of men to whom it was forbidden to write the failings of great personages be sufficient for our guidance ? Not wishing however to take my readers by surprise in an affair so obscure but yet so interesting, and of which we have seen a mock imitation in our own days, I will briefly present the arguments of either party before I establish my own opinion.

One of the preliminaries of peace between the Emperor Charles V. and Henry II. King of France, during the truce of five years, celebrated in the abbey of Baucelles in the year 1555, was the future marriage of Prince Charles, grandson of the first, with Madam Elisabeth, eldest daughter of the latter, and a princess gifted with singular beauty ; but Philip II. having lost his second wife, Mary queen of England, before the projected union was carried into effect, demanded the princess betrothed to his son, and actually married

to her. The consequences of so irregular a measure were such as might naturally be expected; viz. the resentment of a youth who saw himself sported with, a correspondence to his love on the part of a woman who had been forced against her own will, and the jealousy and anger of an aged father who had been wrongly advised and misled. Any longer to reside in the palace having become insupportable to Prince Charles, not only for the above reasons, but because the king, far from seeking to marry him to another person, seemed to consider him as undeserving of succeeding to the crown, he determined to pass over to the Low Countries to take upon himself the government of those states, relying on the affection, or rather compassion, which every body had for him. Philip, being informed of this resolution, ordered him to be arrested in his own apartments, and a suit to be instituted against him as a defaulter to the faith, in order to stop the mouths of the people. He was then strangled, or, as others will have it, he was bled to death. This is, in substance, the report of the event as handed down by foreign writers.

The manner in which this same affair is described by our own authors is as follows :

Prince Charles was of an inflexible and giddy character; and, notwithstanding the great care King Philip took to have him properly educated, he turned out so badly inclined, that he not only ill treated his servants, in words and in deeds, but he was also extremely rude to his preceptor and other persons of quality. They relate, among other occurrences, that keeping up a good understanding with the rebels in the Low Countries, and not approving of the election made by his father of the general who was to command the army there, in the person of the Duke of Alba, he made an attack on the latter with a dagger in order to kill him, which so much offended the king that he threatened soon to correct his ferocious temper, either by fair or foul means. Finally, they add, that having resolved to quit Spain, with a view to put himself under the protection of his uncle, Maximilian Emperor of Germany, whose daughter Ann he sought to espouse, and bring over the Flemish to his faction, he was thrown into confinement by his father; and that, some months afterwards in a state of repentance and having asked his pardon, he died of a dysentery, occasioned by his excesses in eating and drinking. Consequently most of

our authors pass over in silence the trial which the others allude to, without mentioning a single word of the story relating to the Inquisition.

The institution of proceedings against him is however mentioned in a positive manner by Cabrera de Córdova, a cotemporary author, and one of the persons employed in the palace, and the more deserving of credit in this matter because, in writing the life of Philip II. under the reign of his son, Philip III., he loses no opportunity of exciting the benevolence of the king by exalting the memory of his father. He speaks in the following terms: " King Philip called a council, composed of cardinal Espinosa," (then Inquisitor General,) " Ruigomez de Silva, and Licentiate Birviesca, member of the privy-council, in order to establish a suit and justify the arrest and measures resorted to against the prince. He sent to the archbishop of Barcelona for the file of proceedings which John II., king of Aragon, had instituted against his eldest son Charles IV. prince of Viana, ordering him to translate it from the Catalonian language into Castilian, that he might see how the charge was preferred, and the proceedings instituted. Both are in the

archives of Simáncas; where in the year 1592 they were deposited by Don Christoval de Mora, one of the king's privy-counsellors, in a small green chest, in which they are still preserved." * It is therefore clear, that the prince underwent a trial, and this by no other tribunal than the Inquisition, constituted under some certain special form, in consideration to the character of the culprit; neither was rigorous secrecy wanting on this occasion, since an oath was imposed on the grandees and other servants who attended the prince that they would not reveal any part of what they might hear from his mouth, or might see or understand. There are nevertheless sufficient grounds for believing, and on behalf of justice let it be said, that the inquisitors, in this instance, granted the culprit all the favour in their power; but the characteristic darkness of the tribunal was sufficient for Philip to satiate his rancour. This is as far as relates to the question whether or not a suit was instituted against the prince by the Inquisition.

With regard to his crimes, Cabrera himself brings forward a letter from the king to his

* Cabrera de Córdoba, Vida de D. Felipe II. lib. vii. cap. xxii.

sister the empress, in which, stating to her the arrest of the prince, he uses the following words: "The grounds of this determination do not rest on faults or disrespect, nor is it intended as a punishment which, although for this there has been sufficient reason, might have its time and end. Neither has this been adopted as a means whereby he may reform his disorders. This affair has another beginning and root, and its remedy does not consist in time nor means; an object of greater importance and consideration induces me to comply with the obligations I owe to God."* If, on the part of the prince, no fault or disrespect could be alleged in order to induce the king to take so harsh a determination against him, how is it that he took it? The same author, asking this question, answers it by observing, "that he considered him as impaired in his intellects." It therefore results, according to the confession of King Philip himself, that the crimes of his son either were none, or at least that they were not such as to merit an unbounded punishment, nor ought the affair to have taken the turn it did. Besides if, as Cabrera

* Cabrera de Córdoba, *ibid.*

affirms, he was mad, or disordered in the brain, his conduct is still more deserving of reprehension ; because by what rule of justice or of humanity could an invalid of this nature be delivered over to the rigour of a tribunal?

He, in fact, believed it was his duty to sacrifice his son under a plea of religion ; however he thereby did no more than comply with what he had promised in the auto of the faith celebrated in Valladolid ; when asked by Don Carlos Sesé, of noble descent and condemned to the flames, why he suffered him to die in that manner? the king made answer, that under similar circumstances he would do the same with his own son.*

Finally, that Prince Charles was innocent is testified, though in an incidental manner, by secretary Antonio Perez ; who even seems to indicate that he was really punished with the penalty of death ; since, speaking of Father Diego de Cháves, confessor to the king and one of the most bare-faced of his flatterers, he says thus : “ The confessor was offended with Prince Ruigomez for a dilemma in which he placed him at the time he was confessor to Prince Charles, owing to the

* Colmenares Historia de Segovia, cap. xlii. § iii.

unhandsome manner in which he approved of the act committed on the person of the prince; a circumstance deserving of being known as part of the above history, and tending to show the tattered state of the said theologian's conscience. How the prince suffered is not for this place. I have consigned it to my Memoirs, in that part which relates to similar executions; there they will understand me." * These memoirs, which he himself, in another place, affirms were to the number of twelve, it appears he never printed; but he says enough in the expressions just quoted. From them, in the first place, is deduced, that Prince Charles died innocent; and in the second, that he endured a violent death; for otherwise it was useless for the author to avail himself of enigmas, by delaying his explanation for a better time, if after all he only had to tell us that he died a natural death, unless we interpret his words as if speaking of the true cause of the prince's arrest, and not of the manner in which he came by his end. Another proof of the outrage committed on the prince by his father under shadow of the Inquisition arises out of the circumstance of the expected satisfaction

* Antonio Pérez, *Relacion del 24 de Mayo*.

not having been given to Europe by the result of the trial being published, together with the antecedents which gave rise to it, as public justice and the honour of the prince required.*

* Voltaire avails himself of the same argument to prove that Peter I. Emperor of Russia, by condemning his son Prince Alexi Petrowitz to death acted from the impulse of a pure zeal for justice, and that Philip II., on the contrary, suffered himself to be borne away by a wicked passion. His words are these: "Some authors assert that the Czar ordered the proceedings against Prince Charles, condemned to death by his father Philip II., to be brought to him from Spain, whereas such proceedings never existed. Peter I., on that occasion, behaved in a very different manner to Philip. The latter gave no account to the public of the motives he had for arresting Prince Charles, nor did he explain in what manner he died; he merely wrote to the Pope and the Empress, but in contradictory terms. Neither did he give any answer to William Prince of Orange, who accused him of having barbarously sacrificed his spouse (Elizabeth de Valois the third of his four wives) as well as his son, acting not as a severe judge, but as a jealous husband and an unnatural father. Not so the Emperor of Russia, who declaring to the whole world that the welfare of the nation was more interesting to him than the life of his son, submitted to the legal judgment the clergy and grandees might pronounce on his conduct." *Histoire de l'Empire de Russie sous Pierre le Grand*, tom. ii. chap. x. The above author is nevertheless mistaken when he denies that proceedings were instituted against Prince Charles.

The loss of the rights and liberties of Aragon, under the reign of Philip II., is another proof tending to demonstrate that this tribunal is the completest instrument of despotism. This monarch, as may be collected from what has already been said, was as cruel as he was vainly religious, and as perfidious as he was cruel; holding it as a maxim, also approved by Father Cháves, that kings may, when witnesses are found against a person, secretly order him to suffer death without trial or any other formality. Thus believing that his brother Don John of Austria, at that time absent, intended, at the instigation of his secretary Juan de Escobedo, to seize on part of his dominions, he resolved to take away the life of the latter when on business at Madrid, whither he had been sent by his master; a step which required the greatest circumspection, because it was apprehended that Don John would hasten his attempt if he discovered any distrust on the part of the king.

The above-mentioned Antonio Perez, long secretary to Philip, his intimate confidant, and of no better a conscience than Father Cháves whom he censures, having been bred up at court from a child, was consummately dex-

trous in the contrivances of despotism and flattery. Of him the king availed himself to obtain from the post-office the letters of those persons whose fidelity he suspected, and which he afterwards closed as if they had never been touched. The king had also employed him for the purpose of giving poison to an astrologer named Pedro de la Era, from a dread that he might divulge certain affairs respecting which he had consulted him; and this crime was aggravated by the atrocious circumstance of the astrologer being a countryman and friend of Perez, as well as of the poison being administered in a dose of physic at a time when he was sick. The king was consequently unable to find a more suitable person than his own secretary to rid himself of Escobedo with all possible secrecy and despatch; and no sooner did Perez undertake the charge than he found out assassins who, following up their victim, killed him with stabs. The king did not even spare his brother; since he was the cause of his death through poisoned boots which he sent to him.

Perez had agreed with Philip in case any of the assassins were taken, a circumstance which never occurred, that he himself would fly away as if he had been the principal

aggressor, in order that the murder might not be attributed to the king. Such are the lengths to which dissimulation and baseness can go! The relations of the deceased complained against Perez, merely on the grounds of a certain pique which existed between the two, and he was sent to confinement. The king, foreseeing that the cause would take so serious a turn as even to subject the culprit to the torture, prevailed on Father Cháves to collect in the notes and other documents signed by his own hand by which Perez might have proved that he had acted by royal order; all which was done by deceiving and offering great promises of protection to Perez's wife, who had carefully put them away. As soon as the king succeeded in withdrawing them, though not all, as he had believed, he abandoned Perez to his own fate, intending to proceed against him on a charge of calumny, in case he should justify himself when exposed to the torture by alleging that the act had been committed by the king's order; which in fact he did. Perez finding himself in so dangerous a situation escaped under the disguise of his wife's clothes, whom the judge had allowed to see him, and proceeded on by post to Aragon his native country, there to take

refuge in the tribunal of the *Manifestacion*, to which every Aragonese resorted when aggrieved by the king. Philip immediately gave orders for him to be judged by the despotic tribunal of the *Enquesta*, or civil inquisition, as one of his own servants; but having been notified that this former privilege of the kings of Aragon had expired by the union of the two crowns, he commanded that he should be judged by the tribunal of the faith.

In order to subject Perez to this form of trial it was necessary to make him guilty of heresy. The inquisitors therefore, together with certain magistrates belonging to the king's party, forged three crimes, and in order to establish them by evidence they bribed several delinquents then under trial, some of them actually criminals, by giving them money, and offering them pardon. Three of the principal ones afterwards confessed, one of them revealing the fact in presence of a parish priest and witnesses when on the point of death, and the others before the *Zalmedina*, or governor of the city; the first of whom added that, not knowing Perez even by sight they presented him on the part of one of the inquisitors with a paper for him to sign, reciting to him the contents, that he

might swear he had heard them. The first crime they accused him of was, that it was his intention to pass over to Bern, Holland, or Zealand, all countries belonging to heretics; the second, that he was pleased because the arms of Henry IV., the Hugonot, prospered; and the third that he made use of charms in order to attract people to his devotion. It is proper here to observe that Perez was a man of a fine figure, and although his principles were so bad, he nevertheless disguised them with as much success as the designing monarch whom he served.

The inquisitors, after drawing up their summary charge, ordered that the culprit should be transferred to their tribunal, without waiting for the *Justicia*, or supreme magistrate of the kingdom, and the other judges of the *Manifestacion* to give their sentences. The people, however who saw their rights trampled upon, rose up against the Inquisition and, calling out liberty, prepared to resist the king on the authority of ancient privileges. Philip, unable to endure any check to his power, had for some time been secretly blowing the fire of discord in Aragon, and seeking a pretext to enter the country by force, and destroy those rights and immunities

which so much humbled his haughty pride. Considering this a suitable opportunity, he sent Don Alonso Vargas, a warlike soldier, with an army of 12,000 infantry and 2000 horse, in order to quell the mutiny, overawe the Aragonese, and fill them with terror.

At this time Don Juan de Lanuza was the *Justicia*, or chief magistrate of the kingdom, a valiant youth, but inexperienced in the government to which he had been elected on the death of his father, a circumstance that occurred a few days before the insurrection. The people, although impelled by a love of liberty, were unprovided with arms, and besides without a chief, as Perez had fled to France, and the grandees of the kingdom, who ought to have led them on, had declined interfering. The king's army therefore entered Zaragoza almost without opposition, and its leader placing the artillery in the Coso, or principal street intersecting the city, and distributing his troops in the different parts of the town, kept the inhabitants for some time in a state of alarm. When General Vargas had taken all his necessary measures in conformity to the instructions of Philip, and deceived the chiefs of the commotion with fair promises, he pro-

ceeded to arrest and punish them, beginning with the *Justicia*, whom, without any consideration of the inviolability of his person, or previous trial, he ordered to be beheaded and his house to be torn down to the very foundations. He did the same, though after instituting proceedings against them, with Don Diego Heredia and Don Juan de Luna, persons of great distinction in Aragon. The inquisitors likewise on their part ordered the witnesses, who had confessed the bribery before the Zalmedina, to be arrested and brought out in a private auto de fe, as well as one celebrated in the square, condemning them to two hundred lashes and sending them to the galleys for six years; nor did they spare the Zalmedina, whom they deprived of his office and sent to Oran for the same term. In like manner they delivered the effigy of Perez over to the flames, and besides burnt six others in person, for having resisted the king's troops when they were about to give aid to the tribunal.

Finally, I cannot but add, as a further proof that Philip II. availed himself of the Inquisition to make away with persons displeasing to him, the words addressed by the above-mentioned secretary to the king,

at a time when he feared one of his snares, and speaking to him with a freedom congenial to one who was acquainted with his crimes, and an accomplice in many of them : "Let your Majesty," says he, "order me to be brought forth with a corroza on my head, for I believe that it is in this I shall end, as a return for all I have done." As an example Perez himself quotes the persecution of Archbishop Carranza, which he gives to understand was done at the instigation of the above monarch, either to appease certain resentments, or in order to seize on the revenue of his diocese, which he destined for the monastery of the Escorial, a monument of his hypocrisy as well as of his vanity.*

* Antonio Pérez, *Relacion del 24 de Septiembre*.—Lupercio Leonardo de Argensola, *Informacion de los Sucesos de Aragon*, cap. liii. Macanaz, in his *Critical Defence of the Inquisition* (part ii. chap. i. n. 24), acknowledges the death of Don John of Austria to have occurred in the manner I have stated, although he causes the odium of the event as well as that of the loss of the privileges of Aragon to fall on Queen Elizabeth of England, who being the enemy of Philip, excited dissensions in Spain. This lenitive, or some other similar one, was necessary for the author to expect his work to circulate without being rescinded; for, divested of such a clause, it could not even have been published under the reign of Charles III., when a greater degree of liberty was enjoyed.

The history of Philip II., more especially in that part which relates to his subjection of the Aragonese, proves the very great precaution with which those authors ought to be read who have written the lives of monarchs under the ferula of the Inquisition. All of them represent him to us as a model of princes, in whose praise no encomiums are too great; whilst his secretary, from whom the greatest part of the facts I have just stated are derived, writing in France, and consequently out of the reach of the tribunal, depicts him as a monster of iniquity. It appears to me impossible, according to the rules of sound judgment, to refuse a preference to the testimony of the latter over all others, as well because he had better means of being informed of the occurrences, as that he was besides enabled to write them with full liberty. It may perhaps be alleged that hatred and a spirit of revenge induced him to depress the reputation of his persecutor. Such an objection could only be made by one who has not seen the writings of Perez; since in them, notwithstanding the mournful ditties by which he seeks to excite compassion towards himself, he exhibits such a strain of connivance towards Philip, so much

bordering on humiliation, that they cannot be read without sensations of disgust.

In a word, the above minister, from being educated in the palace, had his heart corrupted by the pestilential air breathed therein; and amidst his complaints we discover his desires to return to the confidence of the king, even at the expense of the greatest humiliation—desires which he did not hesitate to manifest in letters written from Aragon to the monarch, as well as to his confessor. To what has been said we may further add, that he considers the principal data as proved in the tribunal of the *Manifestacion*, and consequently notorious to the whole kingdom; how then could he have dared to represent facts as well known and juridically proved, which only existed in his own imagination? Would he not have drawn down upon himself general contempt, instead of the esteem which he sought to preserve. The same ought to be said of the iniquitous conduct of the Inquisition, which was so public that he affirms a report was drawn up on the subject, and an authentic copy transmitted to Philip, as well as to the Inquisitor General.

In short, not only the unbridled passions of kings, but also the ambition or vengeance

of private individuals in this tribunal, have, at all times, found the most ready and efficacious aid. In proof of this I could still adduce many other examples of persons distinguished for their piety and other good qualities who have been persecuted by the Inquisition; but I shall content myself with only two. The first is the illustrious Spaniard, Joseph de Calasanz, founder of the charity schools, against whom a secret information was lodged in Rome, when he was eighty-six years old, by a member of the same order, named Father Mario, who aspired to the generalship of the same. The venerable old man being arrested and conveyed before the tribunal at noon-day, whilst waiting in the anti-chamber, fell asleep; in consequence of which as well as owing to the general reputation for virtue he enjoyed, and also as many persons might probably have interceded for him in gratitude to the beneficence he had for many years exercised in educating the children of the poor, the inquisitors liberated him, considering that so much tranquillity and resignation could not exist in a guilty person.*

The other is Cardinal John Moron, who

* Vide any of the authors who have written his life.

was president of the council of Trent, and one of the prelates most distinguished for science and moderation of his age. He was hated by the Carrafas, nephews to Paul IV., well known for the protection they enjoyed with their uncle, which really amounted to a most scandalous nepotism, and they dreaded nothing so much as to see the cardinal obtain the pontificate for which he had previously received twenty-eight votes. In order to render him unfit for this dignity they accused him before the Inquisition, taking for pretext the affability with which he had treated the Protestants during his legation to the diet of Augsburg in the time of Julius III. This stratagem had its desired effect, for although Moron was declared innocent by Pius IV., and had the good wishes of the Roman people in his favour, merely owing to the above accusation he was not elected in the next vacancy, the tiara being conferred on Pius V.*

This pope, notwithstanding he was fully sensible that Moron had been calumniated, which he acknowledged when the latter felicitated him on his accession, refused him his vote in the conclave of cardinals, and even

* Cabrera de Córdoba, Vida de D. Felipe ii. lib. ii. cap. i. lib. v. cap. iv. and lib. vii. cap. i.

induced others to withhold theirs, on account of the suspicion of heresy incurred by all those who, having been tried by the Inquisition, refuse, as he did, to purge away the surmises in a canonical manner.* It is necessary here to observe, that a canonical purgation is accompanied, at least by an abjuration *de lævi*, and to this infamy is attached; for which reason, and not for any other, Moron refused to abjure. It is thus clear that the aim of the Carrafas against this worthy prelate could not have been better directed, for whether he abjured or not he remained injured in reputation; the stigma of infamy or of suspicion against the faith falling upon him to a certain degree. On this principle alone the ecclesiastical chapters, in cases of application for prebends, admit no one who has been tried by the Inquisition, although his accusation may have been the most glaringly unjust.

We shall now proceed to exhibit in the second part of our chapter the excesses this tribunal has committed, and which fully establish its tyranny and arbitrariness; previously adding something further respecting its

* Antonio de Fuenmayor, *Vida y Hechos de Pio V. Pontifice Romano*, lib. i.

bent and propensities before we enter fully into the matter in hand. Three are the attributes which characterize a tyrant; viz. his illegal intrusion into the command, or, in other words, his usurpation of the authority; the pride which makes him look down on other men as beings of an inferior race; and, lastly, the hardness of heart, or rather cruelty emanating from this same pride. That the Inquisition has intruded and encroached wherever it has been established, is amply demonstrated by the insurrections of various nations exhibited during the course of the third chapter. Confining myself at present to Spain, and reducing the question to a narrower compass, let me ask the patrons and apologists of this tribunal, whether they can present a free and spontaneous decree of the nation assembled in Cortes, either of Castile or Aragon, sanctioning its establishment as the laws and rights of the country required, since so substantial a part of the national legislation was thereby overturned. On the contrary, the history of those times, notwithstanding the great care taken to darken its annals, leaves no doubt of the sentiments of both kingdoms having been openly opposed to its admission. As far as relates to Cas-

tile let us listen to the testimony of Mariana, who in matters belonging to the Inquisition is less suspicious, because, if we are to abide by his own words, he thought favourably of the institution. After speaking of the torture, death by fire, perpetual imprisonment, confiscation of property, punishment by infamy, and the exposure to shame made use of by this tribunal, he thus expresses himself. "At the beginning this institution was extremely disgusting to the inhabitants. What appeared to them most strange was, that children were answerable for the crimes of their parents; that the accuser should be neither known nor made to appear; and that no confrontation of the parties or cross-examination of the witnesses was allowed, a principle so much opposed to what was usually the practice of other tribunals in former times."

"Besides this," he adds, "it appeared to them quite a new thing that similar offences should be punished with the penalty of death. But what was still more grievous was, that by means of such secret inquiries the people were deprived of the freedom of hearing and speaking in public places, because persons of rank, and of the towns, and villages,

who gave advice of what was passing; a circumstance which to some persons appeared to wear the form of a most painful slavery, equally as bad as death. Thus at that time different opinions prevailed. Some held that the punishment of death ought not to be inflicted on such delinquents, yet they confessed it was just for them to be punished by some other kind of infliction. Among others of this way of thinking was Ferdinand de Pulgar, a man of an acute and elegant mind, whose history of the life and transactions of the king Don Ferdinand is in print.* In these terms Father Mariana speaks of Pulgar, having before him a letter written by the latter to the Cardinal of Spain and Archbishop of Seville, Don Pedro Gonzalez de Mendoza, which, thanks to the Inquisition, is not to be found among the printed ones of this celebrated author, though there is another, viz. the 21st, in which he vindicates himself from the charges alleged against him for penning the one omitted. This gives us to understand that, at the commencement, the Inquisition did not busy itself so much in the extermination of the followers of Moses and Mahomet as to prevent it from also attending

* Mariana, *Historia de España*, lib. xxiv. cap. xvii.

to the means of enthralling the mind, by suppressing the works of the learned, at least those which militated against its authority.

With regard to the Aragonese, being less shackled than the Castilians, they were better enabled to express the horror with which they beheld the Inquisition. This much we collect from Zurita, who, notwithstanding the want of freedom then common to all writers, and the individual prejudices by which he was influenced from having been one of its officers, says enough to establish the fact. "Those who had lately been converted from the persuasion of the Jews," says he, "and moreover many gentlemen and persons of distinction, began to feel displeased and raise a tumult, crying out that such manner of proceeding was contrary to the liberties of the kingdom; because for this crime their property was confiscated, and the names of the witnesses who deposed against the culprits were not made known to them, two things entirely new and never before practised, and also extremely prejudicial to the state. In this way they endeavoured to impede and disturb the exercise of the Holy Office, and to obtain inhibitions and injunc-

tions from the Justicia of Aragon respecting property; giving to understand that if confiscation was not taken away, the Holy Office would not last long. They offered large sums of money, and resolved that some signal service should be rendered to the king and queen, in order that confiscation might be removed; and in a more particular manner they sought to prevail on the queen, saying that it was she who most favoured the general Inquisition." He adds, that they likewise sent money to Rome, and concludes in these words: "and as they were rich people, and on that account upheld the liberty of the kingdom, they found great favour generally, and had sufficient power for all the kingdom and the four estates thereof to assemble in the hall of deputies, as is done when the cause is universal and relating to all; and they deliberated about sending their ambassadors to the king, who were, the Prior of St. Augustin, named Pedro Miguel, and Pedro de Luna, a counsellor at law." A remonstrance in which the whole kingdom took part, so much so as to cause the four estates representing it to assemble in Cortes, denotes, notwithstanding the care Zurita took to hide

the circumstance, that the interest was general and not peculiar to this or the other faction.

But granting that the Cortes of Aragon, and even of Castile, by yielding to the preponderance of the throne might expressly or tacitly have sanctioned the Inquisition, would the general will of one and the other kingdom on that account have been less trampled upon? The testimonies I have already adduced fully manifest how weak and unsubstantial the national representation was, if that name can be given to a representation granted only by royal privilege to certain cities. Another proof of this truth is furnished by Diego de Colmenáres, an author not less favourable to the tribunal than the two just quoted. He affirms that the Cortes of Toledo for the year 1480, whom he also eulogizes for decreeing the establishment of the Inquisition, after many debates having terminated the urgent incorporation to the crown of several seigniories alienated by Henry IV., their Catholic Majesties nevertheless made a grant to the governor of the castle of Segovia of 1200 vassals belonging to the jurisdiction of that city, originally under the title

of pledge, intending afterwards to give him an equivalent under a proper form in another part.* The impolicy and injustice of this arbitrary act, acknowledged by the author himself, was even then the cause of a serious disturbance in Segovia, and afterwards of many misfortunes and law-suits, which lasted for the space of 112 years. I say nothing of the vain efforts of the Cortes to free the people from the vexations of the Germans in the following reign, nor of the civil war that broke out on that account. Could a representative body therefore, in which only a small part of the nation concurred, and of which the monarch took no notice, unless it was to offer it insults, and at the end of its sessions to obtain taxes and the usual grants of money, be supposed capable of legally authorizing the introduction of so extraordinary a tribunal?

If it is thus manifest that in Spain the Inquisition has intruded itself into power, it is not less so that the second quality of despots, viz. pride, has also been its constant companion. Indeed the recluse manner in which

* Diego de Colmenáres, *Historia de Segovia*, cap. xxxiv. § 16, and xvi. § 12.

the inquisitors formerly lived, never appearing in sight of the people but behind curtains, whence they pronounced their oracles like the sybil from her cave, or issued their decrees as the Sultan from his seraglio, must necessarily have created in them a haughtiness equal to the abjection with which they were always consulted and obeyed. "There is established in this city as well as in the other principal ones of Spain," says Lupercio de Argensola, speaking of Zaragoza, "a tribunal of the Inquisition against heretical pravity and apostasy; its ministers in Aragon are more sacred than the tribunes were to the plebeians of Rome. In Spain the Inquisition, by another name is called the Holy Office, and truly with much propriety, because all its actions are holy, the provinces which do not enjoy this good have lost the true religion. The tribunal and prison of the Holy Office, together with the habitation of the Inquisitors, are within the palace called the Aljaferia, from its having been built by a certain Moorish king of the name of Aljafar; and this palace is situated in the country, about 300 paces from the city. There are usually three Inquisitors in Zaragoza, who seldom go out of this palace,

where they reside under great veneration and majesty.*

I cannot conceive how this Aragonese writer could compare the Inquisitors to Roman tribunes, when the functions of each were not only unlike but even opposed. Such a comparison might very well have suited the office of the Justicia de Aragon, and to it our forefathers must have applied this idea; but Argensola without reflection accommodates it to the ministers of the Inquisition, because no more noble image occurred to him with which to enhance their dignity. This abstraction from the world, or rather this absence from public society in the inquisitors, instead of being a virtue, as may be deduced from the ordinances of the tribunal of Portugal, was a new artifice, by which, avoiding being treated by the people with less decorum than they considered due, they more effectually secured their respect and submission.† If to the idea which this exterior

* Argensola, Informacion de los Sucesos de Aragon, cap. xiv.

† Ordinances of the Holy Office for the year 1640, book i. tit. iii. n. 8. "Os inquisidores, teraõ grande tento em ver com que pessoas haõ de comunicar, e naõ visitaraõ senaõ aquellas que forem muito graves e de bons costumes na vida; naõ iraõ a acompanhamentos nem a outros autes

pomp of the Inquisition and its magnificent edicts present, we unite that of its authority which it pretends to exercise over monarchs, we shall readily conclude, that the vain pride of this tribunal has been without example. A doctrine so absurd and defended by Eymeric and Parámo, in the kingdom of Portugal, was practised towards John IV. against whom, after his death, the inquisitors instituted a suit, and caused his body to be disinterred in order to absolve him from the excommunication they supposed he had incurred, in consequence of his not having permitted the confiscation of Jewish property.* From this unlimited power the latter arrogated to themselves,† arises the servile language

publicos, porque não aconteça estar nelles com menos decencia da que he devida a suas pessoas e a seus cargos.”

* Eymeric, Director. Inquisitor. part iii. quæst. xxx. and xxi. Alvarez de Calmenar. Annales d’Espagne et de Portugal, tom. iv.

† Luis Velez de Guevara, in his novel of the Devil on Two Sticks, chap. i. criticises, though in an obscure manner, the excessive power of the inquisitors, when he causes the devil, from a glass bottle in which he was confined, to say that he should be extremely glad to be a familiar of the Holy Office, to put some of them into another bottle of brick and mortar. The interpretation I here give to this passage was also given to it by Le Sage in his translation or rather improvement of the above work; when

which our writers, and among them the one just quoted, apply to this tribunal whenever they have occasion to mention it, crowning it with eulogiums the most flattering and the least deserved. Finally, that vulgar saying so general as well as so just, *Con el Rey y la Inquisicion, Chiton!* (with the king and the Inquisition, hush!) manifests in a very clear manner to what a height it carried this predominancy, at one time occupying the throne jointly with kings, and at others bearing away the sovereignty.*

in vol. i. chap. vi. after describing the anxiety manifested by all to entertain one of these judges, he introduces Asmodeus affirming, that as Alexander the Great used to say, that if he were not what he was he should wish to be Diogenes, so he, if he were not a devil, would like to be an inquisitor.

* As a counterpart to the above proverb we will quote another, proving that our ancestors were more unfortunate than stupid in enduring the yoke of the Inquisition. It is as follows: "*Tres Santos y un Honrado tienen al reino agoviado;*" (Three holies and one honourable have bent the kingdom to the ground): meaning the tribunals of the Holy Inquisition, of the Holy Brotherhood, of the Holy Crusada, and the Honourable Council of the Mesta. Most assuredly it has been a species of fatality that establishments should have been recommended with brilliant titles which never deserved them. With regard to the Council of the Mesta, now abolished, as it served not so much to encourage the pasturage of emigrating flocks, (its principal object,) as to counteract, according to Jo-

With regard to the harshness with which the Inquisition has conducted itself, even when acting within the limits prefixed, it will suffice to bear in mind its mode of judicial process, in order to prove that it has incomparably exceeded all other tribunals, as well in the institution of causes in themselves, as in what relates to their execution. This unheard of rigour obliged Ganganelli, when writing to an English lord, to use the following words: "It is usually believed but I

vellanos, (Informe de la Sociedad Económica de Madrid, en el Expediente de la Ley Agraria, n. 146), the cultivation of lands and the improvement of stationary cattle, it is clear that the appellation of honourable was very ill suited to it. With regard to the Holy Brotherhood established for the security of roads, and which also has been abolished, Mateo Aleman, in his Life of the rogue Gusman de Alfarache, (part i. book i. chap. vii.) says that its troopers are all wicked and hardened wretches, and many of them for a mere trifle would swear against thee what thou never didst, or they never saw, from no other impulse than money or the jug of wine given them for their false testimony; Cervantes also calls them "gangs of thieves and highwaymen under the licence of the Holy Brotherhood," (Histor. de D. Quixote, part i. cap. xlv.) The Crusada, created by the popes for the purpose of waging war against infidels still exists, but who doubts that it ought not to exist? When other motives for its abolition could not be found, would it not suffice that its institution coincides with that of the Inquisition?

know not why, that the ecclesiastical government wields an iron sceptre. Any one conversant in history knows that the Christian religion abolished slavery, and experience has evinced that no empire is more sweet than that of the popes. The cause why the character of persecutors is given to the clergy undoubtedly originates with the tribunal of the Inquisition; but notwithstanding the monarchs who authorised it may be as culpable as those who induced them, the people of Rome are never seen delivering themselves up to the barbarous pleasure of burning citizens because they have not received the faith, or because they have lost it. If at any time the ministers of God have breathed sentiments of cruelty it has been through an enormous abuse of religion, which, being all charity, only teaches sweetness and peace." It ought here to be observed, that this great pope does not less blame the monarchs than the ecclesiastics who founded the tribunal, by which he seems to insinuate that secular princes as well as the popes were influenced by interested views, and other motives little conformable to justice and religion, which was the pretext under which they disguised them.

The above letter which is the 91st of vol. ii.

of the Paris edition (1777), and which Nifo in his Spanish translation has inserted under a mutilated form, the Inquisition ordered to be rescinded by an edict of the 3d of June, 1781; "because it contains," says the edict, "propositions respectively false, rash, suspicious of heresy, favourable to toleration, and injurious to the popes, to the author himself, as well as to the sovereigns who have established the Holy Office in their dominions, and because there are solid grounds for inferring that the same has been falsely attributed to his Holiness Clement XIV." The grounds for believing the aforesaid letter to be spurious, and which the qualificators and the tribunal roundly affirm to exist, are only attributable to the contents, as if a pope was unable to know and confess the monstrosity of this institution. Even if, in all the writings of Ganganeli, evangelical meekness and the breathings of an unprejudiced mind were not visible, does not his 109th letter, quoted in chap. iv. sufficiently manifest his opinion in this particular? But if the above did not suffice, his two treatises on Zeal and on the Spirit of the Church clear up the point, in which purposely examining the matter, he establishes

and proves these same principles. However it is not a new thing for the partizans of the Inquisition to despise the authority of the popes, when this does not accord with their own opinions; whilst on the other hand, if in any way favourable, they raise it up to the stars, granting to it a supremacy and infallibility beyond what is possessed by a council of the church. Such was the case in Rome with regard to the brief in which Pius VI. gave permission for the reading of the Bible in the vulgar tongue, a circumstance which some treated as impeachable before the Inquisition.*

As it would not be possible for me, by means of a philosophical analysis, to enter into a full examination of the harshness of the punishments inflicted by the Inquisition, since the research would be interminable, and as I am fully satisfied with what has been already said on this subject when treating of its judicial mode of process, I shall, for the present, merely subjoin some circumstances which tended to increase this rigour, partly arising out of the casual combination of natural causes, partly from the innate ferocity

* *Apologia dil Breve dil sommo Pontefice Pio VI. a Monsign. Martini, arcivescovo di Firenze, cap. i.*

of the ministers of this tribunal, and also, in some measure, from the ministry itself. In the first place, no object can be presented to the imagination more gloomy than the period of the regeneration of this establishment in Seville. It seems as if at sight of it nature herself had shuddered, or that she wished to consummate the infelicity of Spain, so unseasonable and great were the hurricanes of the year 1481, when the Inquisition began to display its fury. "This year of 1481," says an eye-witness, Andres Bernaldez, curate of the town of Palacios, and chaplain to the Inquisitor-General, Deza, "was a year of great rains and inundations, commencing at Christmas and continuing onwards in such manner that the Guadalquivir bore away and destroyed the village of Copero, in which were eighty families, as well as many other places on the banks, and the flood rose up through the battlements of Seville and the outlet of Coria higher than it was ever known, where it remained stationary for three days, and the whole city was under the greatest apprehensions of being destroyed by water." According to this very author a distemper also broke out in the same year, which desolated this southern part of the kingdom till 1488. "This year,"

says he, " was quite out of the common order of nature in Andalusia, being, on the contrary, marked with a great and general pestilence, which occasioned an extreme mortality in all the cities, towns, and villages. In Seville more than 15,000 persons died, and in Cordova the same number; and Xerez and Ecija lost each from 8000 to 9000, and the other towns and villages in the same proportion." He afterwards adds, that in the following year a similar distemper returned with more or less activity, till at last it raged with great fury, causing the same destruction and ravages as in the first. Thus ominous were the auspices under which the re-organised Inquisition hoisted its bloody standard.*

This tribunal proceeding to fulfil the object of its institution, which was to search out confessed or converted jews, who having been baptised in order to escape the anger of the people, in secret still retained their primitive religion, gave orders for a burning place to be constructed in a field not far distant from the city, on which it was about to offer so many holocausts to Moloch. " Those first

* Andres Bernáldez or Bernal, *Historia de los Reyes Católicos, Fernando e Isabel.* cap. xlv. This work circulates under a manuscript form.

inquisitors," says Bernáldez, "caused the burning-place to be built on a raised platform with the four prophets in plaister, (these were four statues placed on pedestals at the four corners, vide Plate xi.) and in very few days, by divers ways and means, they found out the truth of that wicked heretical pravity, and began to arrest men and women the most guilty as well as the most honourable, some from among the magistrates, jurists, bachelors, and lawyers, and also men of great reputation. And they began to sentence them to be burnt with fire; and brought for the first time, to be consumed on the platform, six men and women whom they cast into the flames. And a sermon was preached by Father Alonso Hojeda of St. Paul's, (a convent of Dominicans) zealous in the faith of Jesus Christ, and the greatest promoter of this Inquisition in Seville. And a few days afterwards they burnt three of the principal persons of the city, or of the richest; who were Diego de Susan, whose property was said to be worth 10,000,000, and he was a great rabbin, though according to appearances he died as a Christian; and the others were Manuel Sauli, and Bartholomew Toralva."

“And they arrested,” continues he, “Pedro Fernandez Benedeba, steward of the church of the dean and chapter, who was one of the most principal of them, and had in his house arms to equip 100 men ; also Juan Fernandez Abalasia, who had long been a chief-justice and was a great lawyer, as well as many other principal persons and very rich, whom likewise they burnt, and their riches were of no avail to them.” And how could their riches avail them any thing I would ask, if it was these, as will be seen hereafter, which became a new incentive to persecute them without mercy ? “ And with this,” adds the same author, “ all the confessed heretics were alarmed and cast into great consternation, and fled from the city and archbishoprick ; and in Seville, an injunction was laid for no one to abscond under the penalty of death, and guards were placed at the gates of the city ; and they arrested so many that there was no place to put them in, and many fled to the estates of lords, to Portugal, and to the country of the Moors.” He had already stated that the inquisitors burnt an infinite number of bones out of the grave-yards of the Trinity, St. Augustin, and St. Bernard, belonging to the confessed heretics, who had

been buried there each one by himself, according to the Jewish custom, and that by means of the public cryer they cited before them many of those who had fled away.*

In this same burning-place of Seville, which, as we have just seen, the Inquisition used for the first time in the year 1481, on the persons of six men and women of the Jewish persuasion, the tribunal performed its last tragedy in the year 1782, by the execution of a woman for being a Molinist. Persons who were there present relate that the prisoner was placed on a raised platform sustained by four beams, resting on the four pillars; that these and the works which served as a base were adorned with a lining painted black, on which were seen the usual fooleries of dragons and devils in white, and on the tops were four figures in penitential garments; finally, that the prisoner after being strangled, (she had been converted whilst going to the place of execution, and thereby met with this favour) was burnt, together with the whole platform and frame, for which purpose barrels of pitch, fagots of vine-cuttings, and a large quantity of wood had been placed underneath. The object of the pillars is consequently explained, though

* Bernáldez, *ibid.*

I am of opinion that the chief and most ancient purpose was that they, as well as the statues, might serve by way of ornament. The above six followers of the Jewish rites were executed, according to Pedro de Torres, canon of Calahorra, and also a cotemporary author, on the 10th of January, as well as seventeen others on the 26th of March, and a great many more on the 21st of April; those who died up to the 4th of November amounting to 298; and besides seventy-nine others were condemned to perpetual imprisonment.* Where then is the necessary interval of time not only for them really to have relapsed, but even for them to have been tried, more especially those who died in the first auto? It suited the Inquisition to install itself in an impressive manner, and beyond doubt, it attained its object so much the more, because the above punishments, besides falling on persons of quality, were more sudden and unexpected. The custom of burying the dead each one by himself, belongs to other nations as well as the Jews, who place a tomb-stone upright and near the head, on which an epitaph is inscribed. Consequently, to insult the ashes of those converts and to deprive

* Llorente, *Anales de la Inquisicion*, cap. ii. n. 34.

their heirs of their property, a practice perfectly indifferent to religion, sufficed, in like manner as an irresistible terror was sufficient plea to declare those guilty of death who had fled away.

The Inquisition rendered vain with these essays, and still thirsting after more blood, proceeded to carry desolation not only into the provinces where hitherto it was unknown, but also to the kingdom of Aragon, where, by the usages of the people continually struggling against it, its ancient rigour had been slackened. "This Holy Inquisition," continues Bernáldez, "had its beginning in Seville, and afterwards inquisitors were stationed throughout all Castile and Aragon, and infinite numbers were burnt, condemned, reconciled, and imprisoned, from all the archbishoprics and bishoprics of Castile and Aragon; and many of the reconciled again judaized, who, on this account, were burnt in Seville and in other parts of Castile." He concludes by saying, "I do not wish now to write any more respecting the mischiefs of this heretical pravity; suffice it to say, that since the fire is enkindled, it shall burn till no more word can be found, and that it will be necessary for it to blaze till all those who have judaized

are spent or dead, and not one remains; and even their children, being twenty yearsold and upwards; and if they are all of the same leprosy, even though they are younger.”* If such was the zeal which animated the chaplain of the inquisitor-general, how much more ardent must not have been that of the inquisitor himself and of his tribunal? Such, in fact it was, for in the year 1520, that is, forty years after the Inquisition had been established in Seville, the persons who had been burnt in that archbishopric alone exceeded 4,000, and the reconciled and banished amounted to 100,000 in only Andalusia, where more than 5,000 houses remained shut, whose inhabitants either in one way or other had been exterminated by it.†

This destruction, to which must be added that caused by the other tribunals of the kingdom up to the middle of the sixteenth century, each annually celebrating one or more autos de fe, although great in itself, was rendered still more so by the discovery of America, which unfortunately took place

* Bernáldez, *Historia de los Reyes Católicos*, &c. cap. xliv.

† Páramo, *De Origine S. Inquisit.* lib. ii. tit. ii. cap. iv. n. 2.

about this period.* Among the various atrocities history relates as having been committed by our people on the innocent and helpless antipodes, a taste for burnings is most remarkable, and one which certainly must have been inspired into them by this tribunal; and, in truth, what hesitation could we expect on the part of adventurers, many of whom were sailors and soldiers, to treat the unfortunate natives in an inhuman manner under pretext of their following another religion, when, in the Peninsula, they had left the ministers of the sanctuary doing the same with their fellow citizens. Although the sensibility of Father Bartholomew de las Casas, as an eye-witness, may be considered as too extreme, this will not prevent his report of the destruction of the Indians from ever being a discredit to the Spanish name.

It was in the year 1557 that the great persecution took place against those who wished a reform in the church, whom our people designated by the name of Lutherans, and whose chief assemblies were in Valladolid, at that

* Juan Siliceo, who wrote about the middle of the same century, assures us that in Cuenca Jews were burnt every year. Our historians frequently take notice of two, three, and even four autos taking place in one year in the same tribunal.

time the capital of the monarchy; and also in Seville, one of the most commercial cities; a persecution which included many men held to possess great learning, and of irreproachable character. At the auto celebrated in the first of the above cities on the 21st of May, 1559, at which the princess Doña Juana, regent of the kingdom, and prince Charles, assisted, Augustin Cazalla was burnt, together with his brother, a parish curate of Predosa, a devotee-sister, his brother-in-law, and one of his servants, besides three nuns, one friar, and others, making in all fourteen persons, and sixteen more also did public penance. On the 18th of October at an auto, attended, as we have already seen, by Philip II. lately arrived from the Low Countries, D. Carlos Sesé, of a distinguished family of Logroño was burnt, together with twenty-seven others, among whom were the bones and effigy of Leonor de Vivero, mother of Cazalla, and on the same occasion twelve more had penance imposed upon them.* In Seville as many as

* Parámo, De Orig. S. Inquisit. lib. ii. tit. iii. cap. v. n. 1.—Colmenáres, Hist. de Segovia, cap. xlii. § iii. Miñana, Continuacion de la Historia de España, lib. v. cap. xi. In the number of Cazalla's brothers authors vary considerably. What I have above stated, is derived from the original proceedings taken out of the Inquisition of

eighty individuals having been discovered, they were all punished, most of them by fire, some after the others, in groups of fifteen or twenty. In the year 1560, the same fate also befel Constantine Ponce Fuente, canon of the cathedral, and likewise Cazalla, preacher to Charles V., a most eloquent man and divested of all ambition; as well as John Egidio, or Gil, also a canon, both of whom died in prison. At the same time was also burnt in person Cristoval de Arellano, of the convent of St. Isidore, a most learned man even according to the confession of the inquisitors themselves; together with professor Garci Arias Blanco, who, having abjured through the dread of punishment, and preached against the projected reform, again declared himself for it, and died with astonishing serenity after upbraiding his judges to their faces with their incapacity in matters of the faith.* It was then that the friars, as well as the tribunal, alarmed at such examples, began to look with distrust not only on every one who deviated in the least from

Valladolid, conformably to the information of the person who possesses them.

* Cipriano de Valera, *Tratado del Papa y de su Autoridad*.

strictly monkish theology, but also on those who evinced the smallest erudition, or professed any other than Aristotelian philosophy.

These spectacles have not been so frequent in Italy, owing to the reasons expressed in the preceding chapter. The most remarkable ones however took place about the above time, and for the same cause Aonius Palearius suffered, together with those who died during the pontificate of Pius V. who rather ought to have been styled Severus, a name he most likely would have assumed, if instead of a pope he had been an emperor. Those who were delivered over to the flames by the Inquisition of Portugal, from its foundation to the year 1732, when for the last time executions of this kind were witnessed, amount to 1454, most of them for being of the Jewish profession; and the number of persons who had public penance imposed upon them, to 23068.* Although the above number bears no proportion with those who have perished in Spain, it ought nevertheless by no means to be considered small, when we reflect

* This is affirmed by king Joseph Emanuel in his decree of the 1st of September 1774, in which he approves the new regulations of the tribunal arranged by the Inquisitor General, Cardinal Da Cunha.

that this tribunal was established in the latter kingdom, at a time when it had already exhausted its first impetuosity, and when that violent hatred against the Jews, had in great measure diminished. The influence also which England has always had there, although not the most useful to the trade or decorous to the Portuguese name, had nevertheless communicated to that country a certain degree of toleration. The British government has even there debilitated the power of the Inquisition, by obtaining in virtue of one treaty that it should be abolished in Goa, and by another that it was never to be established in the Brazils.

If in a general sense, harshness towards prisoners is blameable in a tribunal, it is rendered absolutely unpardonable when it extends to persons of the female sex. Astonishment is excited at the multitude of victims of this class which the proceedings of the Inquisition present, immolated, not so much on account of their opinions, for rather than being their own they were those of their fathers, husbands, or, perhaps, of some deluding or seductive director, as owing to the whim and cruelty of the inquisitors. It may be established as a certain fact, that scarcely an auto has been performed in which some

woman has not come forth condemned to death, or subjected to a public penance ; and in the second of the two celebrated in Toledo, in February 1501, sixty-seven of them were delivered over to the flames for Jewish practices.* In the duchy of Lorrain, the inquisitor Nicholas Remigio alone inflicted the same punishment on 900 females for being witches.† Thus the supposed Circes and Medeas, who met with a similar fate at the hands of the Inquisition, in the space of only 150 years exceeded thirty thousand.‡ Even when tender age and beauty were united to the loveliness of the sex, still were they unable to soften the hard bowels of the unfeeling and haughty inquisitor. In a small auto celebrated in Madrid, four months after the general auto of Charles II., in which seven men and eight women were brought forth, who might be considered as the gleanings of the former harvest, a young female, fifteen years old and of a handsome person, was condemned to be burnt alive, as a negative follower of the Jewish rites ; and it was only by conforming to her

* Llorente, *Anales de la Inquisicion*, cap. viii. n. 9.

† He himself affirms it in his *Dæmonolatria*, quoted by Feijoo, *Teatr. Crit.* tom. ii. disc. v.

‡ Páramo, *De Origine S. Inquisit.* tit. iii. cap. ix.

sentence that she liberated herself from the capital punishment, which was commuted into perpetual confinement.* It is unnecessary to state, that, in the infliction of the torture, females have not been treated with more consideration than during the last stages of punishment. The tribunal of Seville administered the rack on a lady lately delivered of her child, named Doña Juana Ponce de Leon, sister of Count de Baylen, and wife of Lord de la Higuera, and arrested in 1557 for being a Lutheran, with so much rigour that the ropes fixed on her arms, legs, and thighs, entered as far as her bones, when she remained senseless, casting up quantities of blood; and died at the expiration of eight

* José del Olmo, *Relacion Histórica del Auto General de Fe*, celebrado en Madrid in 1680. The result of the sentence, according to the above author, is as follows: "Blanca Nogueira, unmarried, native of a town in the kingdom of Portugal, knows not which, and resident in this court, fifteen years old, tall, thick nose, large black eyes, pointed chin, and fair. She was brought out in the auto in a penitential habit and sanbenito, for being an observer of the law of Moses; and as a negative heretic she was condemned to be delivered over to the civil magistrate, but on the sentence being notified to her, she declared herself pertinacious, (that is, confessed being a Jewess) and was reconciled in due form under a confiscation of property; but irrevocably condemned to wear a penitential habit, and to endure perpetual imprisonment."

days, without any other attendance than a young female who had also undergone the torture.*

And what shall we say of the horrid scenes in which an infinite number of culprits, through love to their belief, or actuated by that impulse of defiance so natural in one who feels himself wounded in the most delicate fibre of his heart, have braved the vengeance of this tribunal, either by suffering the agonies of death with all their bitterness, or facing them with prodigious insensibility? In the third of the four autos de fe, celebrated in Majorca in the year 1691, in which thirty-four culprits were delivered over to the flames after being hung, three were burnt alive on the ground of being impenitent Jews, whose names were Raphael Valls, Raphael Terongi, and Catherine Terongi. "On seeing the flames near them," says the Jesuit, also author of the report, and one of the clergymen who assisted them, "they began to shew the greatest fury, struggling to free themselves from the ring to which they were bound, which Terongi at length effected, although he could no longer hold himself upright, and he fell side-long on the fire.

* Cipriano de Valera, Tratado del Papa y de su Autoridad.

Catherine, as soon as the flames began to encircle her, screamed out repeatedly for them to withdraw her from thence, although uniformly persisting not to invoke the name of Jesus. On the flames touching Valls, he covered himself, resisted, and struggled as long as he was able. Being fat he took fire in his inside, in such manner that before the flames had entwined around him, his flesh burnt like a coal, and bursting in the middle his entrails fell out.”* Deserving indeed of being seen were these poor unhappy victims, all three of them amidst painful writhings and violent contortions raising up their cries to heaven, and though made the scoff of the inquisitors and their executioners, still firm in their own law; nor could a God of charity fail to receive, as most sweet incense, the offering which his priests were presenting to him, really congenial to no other than Caribbees. This is as far as relates to the prisoners who in a stout and manly manner fought, if we may be allowed the expression, with the pain they endured, rather than yield to the pharisaical Inquisition.

With regard to the persons who went so

* Francisco Garau, *Le Fe Triumfante, en Quatro Autos celebrados en Mallorca, el año 1691.*

far as to despise death, and even became insensible to all its rigours, my attention is principally called to those who went out to meet it, willingly offering themselves to the voracity of the flames, or in any other way accelerating the end of their lives, of whom I shall present a few examples. In the report of the auto of Mexico which took place in that capital in the year 1549, we read the following words relating to certain judaizing culprits. "Thirteen victims in person were cast into the burning-place, all of whom through mercy were strangled before they were burnt, except Thomas Trebiño de Sobremonte, in consequence of his insolent rebellion and diabolical fury with which, though before he was put on the scaffold he had been made to feel on his face the fire that awaited him, he broke out in execrable blasphemies and with his feet drew the blazing fagots towards him. In the same fire they also consumed the bones of forty-seven persons together with their effigies, besides those corresponding to ten fugitives."* In the other auto de fe celebrated in the same city in 1659, William Lamport, of whom I have already spoken several times, was con-

* *Diario de Mexico*, de 6 de Abril de 1807.

demned to be burnt to death for being infected with the errors of Luther, Calvin, Palagius, Wickliff, and John Huss; in a word, because he was guilty of all imaginable heresies, according to the terms of the proceedings, and being desirous of depriving the tribunal of the pleasure of seeing him burn alive, and at the same time give to it a testimony of the readiness of mind with which he met death, as soon as he was seated at the foot of the stake, and his neck placed in the ring, he let himself fall and broke his own neck. "William Lamport, or Lampart," says the original report, "under the hopes he evinced on the preceding evening that the devil, his familiar, would relieve him, went through the streets looking up towards the clouds to see if the superior power he expected was coming; but when placed on a seat for execution, and the ring fixed about his neck, finding that all his hopes were vain, he strangled himself by letting his body fall down suddenly, and in a short time that infernal man was converted into ashes."* It suffices to know that Lamport, by merely abjuring, might have saved his own life,

* Rodrigo Ruiz de Zepeda, Auto General de la Fe celebrado en Mexico, en 1659.

whence it is clear that the author of the report interprets the event according to his own pleasure, by presenting it under an aspect foreign to the truth.

We have already seen, when speaking of the mode of procedure in this tribunal, that during the auto of Madrid performed in 1680 some of the persons sentenced, being beforehand with the ministers, voluntarily rushed into the flames, in order to give this fresh proof of adhesion to their own sect. Things extremely remarkable and capable of embittering the pleasure of the inquisitors must have then happened, since José del Olmo, notwithstanding he is extremely minute in the narrative of all the facts, scarcely makes mention of the execution of the sentences, when it is this part that is most likely to awaken curiosity. Possibly for this very reason, and owing to the impertinent excuse of inquisitorial secrecy, he also omitted to extract the proceedings read in the auto of those who were delivered over in person, as is customary in similar reports, and as was necessary in order that posterity, for whom he wrote his work, might do justice to the rectitude of the tribunal. In an auto celebrated in Tholouse, soon after the establish-

ment of the Inquisition, 300 Albigenses, according to some authors, and 400 according to others, did the same, despising the pardon tendered to them; and the same afterwards happened to 240 more in various cities of Languedoc. The Catholics began to stagger on observing so much courage in the Albigenses, and the Inquisitor, S. Dominick de Guzman, thenceforwards determined to refute them in public contests; but apparently he failed to put his determination into practice, or, if he did, it was not efficacious; in which case the inconvenience he sought to avoid remained precisely the same, or else the Dominicans did not wish to follow his example.* Indeed so far have the latter been from thinking well of public disputes with heretics, that in Italy they established, as a maxim of the tribunal, not to endeavour to reduce them unless within prison walls, and through inflictive means.† When they have such little con-

* Páramo, De Orig. S. Inquisit. lib. ii. tit. i. cap. ii.

† Massini, Pratica della Santa Inquisizione, part x. avvert. lxxxii. Egli non si conviene disputar pubblicamente co' perfidi eretici, ma in carcere colle ammonizioni de' giudici e colla dottrina de teologi sforzarsi di convincerli; perehe quantunque siano pertinaci, chi sa però che *veratio tandem non det illis intellectum*.

fidence in themselves, do they not authorize us to compare their stories of inquisitors confounding heretics with the picture drawn by Æsop of a man tearing a lion to pieces? Fathers Bolandi, Echard, and Turon, and together with them the Abbé Bergier, deny that this saint interfered in *autos de fé*, asserting, that he did not become an inquisitor, because they add, he died before his friars took charge of the tribunal.* For my own part I am grateful for the good will with which these writers vindicate the reputation of a respectable individual of our nation, and consequently that of the nation itself; but on this account I am not tenacious that their opinion should prevail. The founder of an order which, having always been the most addicted to literary oddities, has likewise been most zealous in promoting inquisitorial superstition, will always excite gloomy reflections in the breasts of the lovers of truth and humanity; and Spain has sufficient reasons to blush for having adopted the Inquisition in a manner that seemed to render it constitutional to us.

It will be proper in this place to state another effect produced in the people by

* Encyclop. Art. Inquisiteur.

similar punishments, and at the same time tending to prove the harshness of this tribunal. This is a certain stupor, delirium, or enthusiastical fury mixed with terror, which deranging the imagination, caused it to picture to itself rare portents and forbodings, as well as horrid spectres. In seven or eight autos de fe, which the Inquisition celebrated in Llerena, during the time it was established in Guadaloupe, we are told that at least sixty prodigies happened. God worked them through the intercession of the Virgin, in order to manifest how much he was pleased with the residence of the Inquisition in that quarter; and the latter attained such a reputation and ascendancy, that the inquisitors decreed heavy penalties against all Jews found within the said district, notwithstanding they were then tolerated in Spain.* In the auto of Mexico corresponding to the year 1649, on carrying the aforesaid Thomas Trebiño, to the place of execution, "it happened," says the report, "that on the officers mounting him on a beast of burden, as broken-down, dull, and tame as most animals of this kind generally are, no sooner did the beast begin to feel his load than he sought to shake

* Páramo, *De Orig. S. Inquisit.* lib. ii. tit. ii. cap. iv.

it off in a most furious manner, and breaking loose rushed among the bye-standers. Another was brought, and still the same again happened. As many as six were changed, and some of those tried on which the other condemned persons had travelled without any repugnance for some distance, and as if even the animals were horror-struck at the sight of such a monster, not one admitted him on his back. The unhappy wretch travelled for some time on foot; but as all that had occurred indicated something extremely mysterious, Divine Providence at length brought forward a horse, which allowed the prisoner to mount, in order to deliver so cursed a load more quickly over to the flames." A horse, so noble an animal, miraculously replacing a lesser beast of burden for the purpose of bearing away a culprit to an earlier death, who, as was soon afterwards seen, desired nothing so much as to end his days, instead of proving his criminality would rather argue that of the tribunal. In like manner, the day after Augustin Cazalla had been burnt in Valladolid, a white horse was seen passing through the streets of the city, governed by an invisible rider, and supposed to be the shade of Cazalla himself, as he had

foretold would happen before he died.* Thus did the phrenzy of the ignorant people accord with that of the intolerant and revengeful Inquisition.

In reflecting on the cruelty of these autos de fe, it seems as if I beheld the triumph of the savages of Canada over some of their enemies' prisoners. On one of the latter they brutally satiate their rage: bound to a pole they raise him up on high, tear down his flesh by mouthfuls, cut away his members one by one; and in the meantime the suffering victim, without expressing the smallest token of pain, though foaming with rage, breathing defiance, and presenting the spectacle of all the furious passions of the human soul, provokes and mocks his executioners with the most irritating reproaches, urging them on to employ every means of torture, whilst he himself glories in the triumph as long as he has overcome them in ferocity. Instances of this kind have really been witnessed in the autos of this tribunal. The magnificence of the platform, the presence of the kings when at court, and of the viceroys in the province, the attendance of the coun-

* Páramo, De Orig. S. Inquisit. lib. ii. tit. iii. cap. v. n. 1.

cils and other tribunals, universities and other corporations ; finally, the presence of immense crowds of spectators with which the Inquisition has ostentatiously exhibited its victories, frequently served no other purpose than for the culprits to condemn and sport with the religion of Jesus Christ ; which has lost more by the scandal incurred than it was possible to gain by hundreds of conversions obtained through such means, even when it was possible they could redound to the honour of the institution. “ Francisco Lopez de Aponte,” says the report of the auto of Mexico for the year 1659, “ a most contumacious and malicious atheist, stood on the platform of the stage, and resembling a demon, cast forth sparks from his eyes, and beforehand gave signs of his eternal condemnation. When they carried him from the half moon to the centre of the theatre to hear his sentence, he proceeded with a haughty step along the avenue, and instead of standing up on the raised platform as he ought to have done whilst his sentence was reading, he soon sat down. When he returned to the half moon, mocking the confessors who assisted the other condemned persons, (for this infernal man refused to admit any spiritual

guides, and remained alone) he said to them :
‘ Well Fathers, what do you think of it, have
I not played my part well ? ’

In like manner as the Inquisition, by adopting in its judicial proceedings the plan of the tyrants of Rome, carried its monstrosity to a still higher pitch through the aid of new frauds and deceit ; so also did it add new degrees to its cruelty by refusing its culprits and victims all kinds of human consolation, Neither Nero, Dioclesian, nor any of the emperors who were a scourge to Christianity, prevented the martyrs from communicating with each other, either during the period of their confinement or in the act of their execution ; since it is fully established that in the prisons they were visited by their relations and the other faithful, and that in their last moments they reciprocally exhorted each other to suffer death. This tribunal, on the contrary, perhaps holding in confinement a husband and wife for the space of many years, without one knowing of the arrest and sad endurance of the other, brings them forth to the place of execution, where, astonished at their meeting, for the first time they learn the wretched situation of each other, and must

part for ever without an embrace or even a last adieu. "Francisco Botello," says the report, "behaved so shamefully on the stage, that when one of the confessors, who undertook to convert him from Judaism, desired him to observe his wife, who was also there and penanced on the same account, he raised up his eyes to behold her with as much joy and gladness as if it had been the happiest day of his life, and made great exertions to speak to her; but this he was unable to attain because they removed him two steps lower down." These unfortunate victims then; since every thing else was denied them, exhorted each other by signs to remain firm in the religion they professed, or to continue stedfast in their purpose when they did not profess any. "Diego Diaz," adds the same report, "whilst on the stage actually declared himself to be a Jew, and together with the two other culprits, Aponte and Botello, was making signs as if animating each other to die in his own lame faith; and on being reproved by one of the friars who attended him, he answered, "So Father, is it not well that we should exhort each other to die for God?" However, on being answered that as a Jew he did not die for God,

but rather in his disgrace and under offence to him, he became totally hardened, refusing any longer to hold the holy cross in his hands.

Such rigour and odium have uniformly accompanied the acts of the Inquisition, that the very pardon of life, which for a single time it granted to the penitent, (Phalaris also, of the brazen bull and the greatest of the tyrants of Sicily, pardoned Melanipus and Chariton) became detestable in the mode of its concession; because, independent of the cruel humiliation and degrading ceremony to which they were subjected, and independent also of this being a tribunal as boastful as it has been ignorant, which constituting itself as the avenger of the Divinity was the first to usurp its rights, it may be asked whether the confiscation of property and the infamy and ruin of his family were not misfortunes such as the culprit with difficulty could survive? "Sebastian Alvarez, a Lutheran and Sacramentarian heretic," says the report, "was well aware that he was still in a state to receive mercy, by laying aside his errors; but he was restrained by motives he often explained to the friars who assisted him, viz. that on mercy being solicited and granted to him they would give him two

hundred lashes, and that he did not wish to live under such a stigma and disgrace.”

In such terms did a common man and besides a mad one, (for the reader ought to be informed that the culprit alluded to was really such,) express himself when speaking of the loss of his honour: what then would not be the feeling and sentiments of a sensible and reputable man in a similar case? I say that the above-mentioned culprit was deranged in his senses, and this is even proved by his own words. Behold here then another of the cruelties unfortunately too common in the Inquisition; for such most assuredly it was to send to the place of execution many persons who ought to have been in a mad-house, with a strait-waistcoat on, or in a workhouse subduing their unbridled imaginations by means of corporeal labour. But all this was instigated by the lure of confiscations, by the vanity of the tribunal to bring out in its autos the greatest number of culprits, as well as by a false point of honour to prevent its being said that its ministers had imprisoned persons labouring under so dreadful a disorder. The report of the proceedings and sentence here alluded to in substance is as follows:

“Sebastian Álvarez, alias Rodríguez, native of Bayona in Galicia, and resident in Mexico, more than 63 years of age, unmarried, and by trade a goldsmith. He was arrested and his property sequestered on the grounds of his being a sectarian of Luther, belonging to the Sacramentarians and other heretics, and as the inventor of many and new heresies; of which he was fully convicted and the same proved by his papers. In the third hearing granted to him, he said that about thirty years before he had written down some remarks which, in consequence of his not having read the Scriptures, he was aware contained many errors; and that afterwards, when he had read them, he had written others which bore testimony that he was Jesus Christ, and that the omnipotence of the External Father could do no more than was laid down in his writings, because they contained all the treasure of his infinite knowledge.”—The report adds, “on several experiments being made respecting the senses of this culprit, it was ascertained that they were in a sufficiently perfect state, and that he was aided by the powers of the devil, although not habitually, by which means he perverted the Scriptures to found his doctrines.” I ought to advert that in no part

of the report is any mention made of medical persons having examined the state of the prisoner's senses, which was only done by the members of the Royal Audiencia and the counsellors of the tribunal, and the latter had to solicit permission so to do, as otherwise they would not have dared to vote in the cause. It is not consequently astonishing that they should have declared Alvarez to be possessed of the devil at determined periods, since he was a madman with lucid intervals, as will be better seen by the remaining part of the report, which goes on as follows:—

“ This heretic was so incoherent in his discourse the night preceding the day of the auto, and so unrestrained in his blasphemies, that each word was a new heresy, wherefore to defend one he uttered a thousand more. He affirmed, as he always had done before, that he was Jesus Christ, and that such he would be as long as God was God. ‘The friars who assisted him admonished him to ask mercy, and he answered them: ‘Do not fatigue yourselves, Fathers, for I well know that they send you to make proof of my constancy, but I am so firm in being Jesus Christ that I will be he in spite of you all, and I will rise again after three days and a half,

to judge the living and the dead.' He said there were thousands of worlds, and that in each Jesus Christ was to die twice, and that having died once on the cross, he again came into it to die by fire ;' adding, ' watch, Fathers, and if you do not behold me arise again in three days, do not believe me : ' and he was extremely glad to die, in order to come to resurrection again. He persisted in the heresy of the transmigration of souls from one body to another, and in consequence of the many horrible and heretical blasphemies he uttered, the friars requested a gag might be put into his mouth, even whilst he was yet in prison. At midnight he entered into a profound silence, indicating, by the movement of his lips, some signs that he was engaged in prayer ; and being told that it was not time to sleep but to wake, in order to prepare for death, he answered : ' Would to God it had already come, for then I should have arisen again to judge men. He also said that the Eternal Father had communicated to him the gift of interpreting the Scriptures ; that he had the soul of Solomon, and that he had untied the seven seals of the Apocalypse.

" Being placed on the platform," continues the report, " he requested an hearing.

And who would have imagined but that it was to anathematize his errors? Nevertheless it was not so, for on being returned to the prisons of the Inquisition, and two days after asked by the judges for his christian and surname, he replied, 'that for the Holy Tribunal he was Jesus Christ, and for the people, Sebastian Alvarez;' adding, 'that so he had said when brought out to the auto, in presence of the religious divines who went with him, and afterwards of his Excellency (the Viceroy) and the inquisitors when he begged an hearing on the stage.' He concluded by remarking to them, that if he did not arise after the third day they might burn all his papers and hold them as false. And he signed his declaration under the following title: 'The slave of the Lord, and the said slave is Jesus Christ, the son of the female slave of the Lord.' His obstinacy being manifest, he was delivered over to the secular magistrate to be consumed in live flames, without being previously strangled, unless he returned into himself and became converted." At length, however, he was converted, or rather he feigned so, for this far from being called a conversion, was rather an additional proof of the derangement of his senses, and of the

want of courage which is consequent thereto, since it had no other origin than his being moved to compassion on beholding the priest who accompanied him to the place of execution shed tears. "In carrying him to the place of execution," concludes the report, "Licentiate Francisco Corchero Carreño in tears and extremely affected, admonished him to consider that he was then travelling on to hell; and as the prisoner perceived the clergyman was crying, he said to him, 'Father, why do you cry?' He answered him, on account of his soul which would be lost. The prisoner then said, 'Well, Father, and what is it you wish me to do?' 'To lay aside your errors,' replied he." The culprit, in order to silence him, retracted and confessed all he was ordered to retract and confess. At this the executioner put an end to his life with a dagger before he cast him into the flames.

More in his senses than Alvarez scarcely could have been Francisco de Stabili, otherwise named Cecco de Ascoli, a poet and professor of astrology and philosophy in Bologna. When seventy years old he was accused before the Inquisition of having announced to the Duke of Calabria, through the aspect of

the stars, that his wife and daughter would give themselves up to prostitution ; and as he had before undergone a public penance for attributing to the influence of two contrary constellations and of certain malignant spirits which, according to him, therein preside, the poverty in which Jesus Christ lived, and the future riches of Antichrist, he was burnt alive in the year 1327.*

I am still desirous of adding another proof of death being more supportable to many culprits than the penalty into which this was commuted. In the tribunal of Madrid at the time Xaramillo and Prada were inquisitors, of whom the latter is still living, one of the king's life-guards, a native of Marseilles, was condemned to be brought out in a private auto with a rope round his neck. The culprit acquiesced in his sentence, except the part relating to the rope ; and he frequently, though uselessly, solicited that such an ignominy should be dispensed with. Seeing that his prayers were of no avail, he made an attempt on his own life, by breaking one of the dishes in which his victuals were carried to him and swallowing the pieces. The keeper

* Peignot, Dictionnaire des Livres condamnés au Feu Art. Cecco.

of the prison gave information of this to the inquisitors; and these, sending to the general hospital for one of the iron beds used for mad persons, ordered him to be bound down upon it. When the prisoner was left alone he extricated one of his arms by main force, and, taking the untwisted end of the rope, and passing it round the head of the bed, he made a slip-noose and hung himself. His body was buried in the fields, without the gate called de los Pozos.*

In fine, if suicide, the last misfortune that can happen to man, and the greatest madness it is possible for him to commit, has been so frequent in the Inquisition, notwithstanding so many precautions, it must principally be attributed to the sad and gloomy solitude in which these victims were obliged to live, and the crooked and irregular conduct of its ministers. In former times, Constantine Ponce by some persons is asserted to have killed himself in Seville, though others affirm that he died through sickness occasioned by the ill-treatment he received, and that the above report was circulated by the inquisitors in order to discredit a deserving man and his

* D. Juan Antonio Rodríguez, *Apuntes sobre la Inquisicion*, M S. above quoted.

party.* If, in fact, they circulated it for this purpose, this is not the first time they have recurred to similar tricks. They caused the common people to believe that the proper name of Antonio Perez was not Perez but another which they did not designate, and that he descended from a Jewish family; whereas his lineage was well known, and his paternal grandfather had been secretary of the tribunal, and consequently underwent the customary proofs of the purity of his descent, as well for himself as his wife; and even before, one of his ancestors had filled a similar office.†

Recently in the tribunal of Madrid, in addition to the life-guard above-mentioned, a solicitor in the supreme courts, standing upright on the table in his cell, threw himself with his head foremost against the ground and dashed out his brains. In that of Mexico, a captain belonging to the Interior Provinces, feigning

* Cipriano de Valera in his *Tratado del Papa y de su Autoridad*, denies the circumstance on the verbal testimony of the person who attended Ponce during his illness and at his death. Páramo himself (*De Orig. S. Inquisit. lib. ii. tit. iii. cap. v. n. 12.*) mentions it in a dubious light.

† Lupericio Leonardo de Argensola, *Informacion de los Sucesos de Aragon*, cap. liii.—Antonio Pérez, *Relacion del 4 de Mayo*.

himself sick, seized the sword worn by the physician who attended him, loudly threatening that he would kill him first and then himself, if they did not let them go out together into the street. In this manner were the prisoner, physician, inquisitors, and their dependents, struggling for some hours; and in the mean time the city, where the news had spread, was in a state of consternation; till at length the prisoner, being completely tired, fixed the handle of the sword in one of the corners of the prison, and letting himself drop with all his force on the point, his body was run through. A little time afterwards, in the same Inquisition, a physician also murdered himself by opening an artery with a pair of snuffers.

In sketching the cruelty of this tribunal I cannot pass over in silence the manner in which it treated the Jews and Moors, at the time of their expulsion from Spain. Beginning with that of the Jews, which took place in 1492, when some politicians having represented to their Catholic Majesties the injury that would thereby result to the state; and the Jews, in their own behalf, offering large donations to relieve the public exigencies, Torquemada, the king's confessor,

went up to the palace and, assuming the attitude and language of a true fanatic, pulled out a crucifix, and implored them not to prefer gold and silver to the cause of that Lord who to save the world had deigned to be bought and sold.* The royal determination was consequently carried forward, and Torquemada published an edict prohibiting Christians, under the strongest anathemas, to administer to the Jews any kinds of aliments after the period assigned for their expatriation had expired.† An edict of this kind was extremely congenial to such an inquisitor, the same as it was to propose to his council, on seeing that notwithstanding such rigorous punishments there was still scope for more persecution, whether it would not be proper to increase the severity.‡

* Páramo, De Orig. S. Inquisit. lib. ii. tit. ii. cap. iii.

† Ibid. cap. vi. n. 7.

‡ This consultation is found half-copied in a collection of original papers in two volumes folio which I have seen, and belonging to the private library of the King, some of them signed and sealed by Torquemada and by King Ferdinand the Catholic. They appear to have been collected and arranged by some curious person who did not discriminate whether they were important or complete, being satisfied with their belonging to the Inquisition. Hence does it happen that among them is a mandate of arrest against

With this the expelled left the country, to the number of 800,000 persons; and, taking various directions, some went to Portugal, France, Italy, and Germany; and others, taking shipping, went over to the kingdoms of Tremesan and Fez, and the empire of Turkey. The persecution endured by the Jews would have been more supportable, had they only been deprived of a country which devoured its own inhabitants; but misfortune being coupled to the policy of government, or rather to the intrigues of the clergy, caused the destruction of the greatest part of them, through storms and pirates at sea, as well as the wandering Arabs of Africa; who, not content with robbing them, also violated their

a woman, returned no doubt by the bailiff after he had performed his duty, and also one or more accounts relating to property, together with a brief statement of the death of St. Peter de Arbues, very badly written. With regard to the point above alluded to, the counsellors answer, that they cannot approve of the measure, founding themselves on that rule of public justice: *Ubi lex non distinguit, nec nos distinguere debemus*. The seal used by Torquemada does not exceed the diameter of a rial of plate, without any other form than a cross dividing it into four equal parts, in which are initials. The Inquisition therefore did not adopt the sword in its coat of arms, till its cruelties had rendered it deserving of this emblazoned distinction.

children and wives. Many of those who remained alive, after losing all their property and weighed down by such accumulated misfortunes, returned to Spain and received baptism, till, their numbers increasing, the door was shut against them, on the grounds of their conversion being forced. How great must have been the affliction and misery of those unhappy people when Bernaldez, who, as he himself affirms, baptised as many as a hundred with his own hands, evinces sentiments of compassion towards them! The disasters however did not stop here to which the Inquisition gave rise by wresting and promoting the above fatal decree. Nine vessels loaded with Jews having arrived at Naples, owing to the remains of the former plague carried with them, as well as other disorders contracted during their voyage, they caused such an epidemic complaint in that kingdom as scarcely had been before witnessed, of which more than 20,000 persons died in the capital alone.*

The Jews compare this catastrophe to the captivity of their people in Babylon, the

* Bernaldez, *Historia de los Reyes Católicos*, cap. xlv.
—Páramo, *De Orig. S. Inquisit.* lib. ii. tit. iii. cap. vi. n. 11 et 12.

taking of Jerusalem, and the destruction of the same city by Titus and Vespasian, not only because the evils then brought upon them equalled those they at that time suffered, but also because having been established in the Peninsula since the time of the Roman empire, they considered it as another Palestine, or, what is the same, as their own native land. Hence that predilection for Spain which they evince even up to the present day, esteeming it as a great honour to have descended from that country, and speaking our language with all possible purity; but always declaiming against the Inquisition, which they describe as a haughty and cruel monster. To it they apply several of the prophecies of the Old Testament; and as these, when gloomy, generally end in promises of consolation, as the persecutions of the tribunal against them increased, the more were they confirmed in their belief, hoping for the day of their redemption. Among the writings in which similar allusions occur, one is deserving of particular notice; and this is a Spanish translation of the Psalms in various kinds of metre, published in London at the beginning of the last century. Its author, Daniel Israel Lopez Laguna, who,

the preface mentions, had been confined by the Inquisition, wrote it for the purpose of aiding, in the understanding of the above book, his Spanish and Portuguese brethren passing from Spain over to England who were ignorant of the Hebrew. The two following octaves on the Tenth Psalm, according to the original text, and the Ninth according to the Vulgate, particularly deserve to be read, as they will suffice to show the idea the Jews have of the rigour of this tribunal. They are as follows :

Verse 22. "*Ut quid, Domine, recessisti longe,*" &c.—verse 23. "*Dum superbit impius,*" &c.—verse 24. "*Quoniam laudatur peccator,*" &c.

" Porque, Señor, te encubres á lo léxos
A nuestro ruego en horas del quebranto ?
Piadosos nos alumbren tus reflexos,
Quando sobervio el malo causa espanto
Al pobre persiguiéndole en consejos
Del Tribunal que infieles llaman Santo.
Preso sea el malsin que tal se alaba,
Pues aunque él se bendice, en mal acaba."

Thy presence why withdraw'st thou, Lord,
Why hid'st thou now thy face,
When dismal times of deep distress
Call for thy wonted grace ?

The tribunal they faithful call
 Has made the poor its prey ;
 Oh let them fall by those designs
 Which they for others lay.

Verse 29. "*Sedet in insidiis,*" &c.—verse
 30. "*Oculi ejus in pauperem respiciunt,*" &c.
 verse 31. "*In laqueo suo humiliabit eum,*" &c.

" Asechador violento en las aldeas
 Qual oso hambriento embiste al inocente ;
 Sus ojos sin temer que tu los veas
 Atalayan, qual leon de lo eminente
 De su gruta, á las miserables plebeas
 Gentes que asalta audaz quanto inclemente ;
 Pues lisongeando hipócrita abatidos
 Coge en la red rebaños de afligidos." *

Near public roads they lie conceal'd
 And all their art employ
 The innocent and poor at once
 To rifle and destroy.
 Not lions couching in their dens
 Surprise their heedless prey
 With greater cunning, or express
 More savage rage than they.

If the conduct of the Inquisition towards
 the Jews was atrocious, it was no less so with

* Daniel Israel López Laguna, *Espejo fiel de vidas*
 que contiene los salmos de David en verso. London,
 year 5480, according to the Jewish computation, or 1720
 of the vulgar era.

regard to the Moors. The plan of their expulsion, which, as far as relates to those of Granada, began in 1502 and continued till 1577, when those who had not gone over to Africa were transferred to Castile, the kingdom of Seville, and Estremadura, according to the authorities of Luis del Marmol, Diego Hurtado de Mendoza, and Father Prudencio Sandoval, was traced out and instigated by certain prelates and other religious persons; whence we have a right to suppose that it was the same, or others of their class, who had previously planned the expulsion of the Jews. With regard to those of Portugal, this is roundly asserted by Vicente da Costa Matos, and even also with respect to Spain.* Granada had surrendered to the arms of King Ferdinand in 1492, after eight months rigorous siege and continued attacks, under a capitulation extremely advantageous to the besieged; two of the principal articles being the free use of their religion, and the total independence of their nation, with regard to the Hebrews. It ought not to be forgotten that the Mahometans, following up the opinions of their legislator, who, in the Koran, indulges in invectives against the Jews, look

* Discurso contra a heretica perfidia do Judaismo, cap. xvi.

upon the latter with the greatest contempt and horror; consequently those of Granada beheld and detested such a species of subjection as the last degree of slavery. With regard to the rest, in solemnly stipulating the freedom of their worship, they did not consider themselves satisfied unless express mention of renegades was made, notwithstanding they might be considered as comprehended in the general clause.* Our kings

* Luis del Mármol Caravajal, *Historia del Rebelion del Reino de Granada*, lib. i. cap. xxiii.—Diego Hurtado de Mendoza, *Historia de Granada*, lib. i.—Fr. Prudencio Sandoval, *Historia del Emperador Carlos V.* lib. xiv. § 18. —The article by which their Catholic Majesties granted freedom of worship to the Moors is as follows: "That their Highnesses and their successors for ever will allow King Abi Abdilehi, his governors, cadis, mestiz, bailiffs, chiefs, and good men, as well as all the common people, high and low, to live according to their own law; and will not suffer their temples, towers, or invokers to prayer to be taken away; neither will they touch their property or revenue they may have for the same, nor interfere with the usages and customs under which they live." And in another article: "That no Moor or Mooreess shall be compelled to become Christians against their will; and that if any maiden, married woman, or widow, from motives of love should wish to embrace Christianity, she shall not be received till after she has been interrogated." The security of the renegades was established in the following manners: "That no person shall be allowed to ill-treat, by deed or

at the beginning fulfilled the conditions stipulated; for if they early sought to bring the Moors to Christianity, it was only through the medium of preaching. This fact is proved by nothing better than the king's sending his own confessor, Father Hernando de Talavera, and bishop of Avila, as archbishop, to Granada; when this apostolic man, in order that the nomination which he himself had solicited

word, the Christian men and women who before this capitulation might have become Moors; and that if any Moor should have a renegade woman for his wife she shall not be compelled to turn Christian against her will, but that she shall be interrogated in presence of Christians and Moors, and her own wish shall be complied with; and the same shall be understood of the male and female children born of a Christian woman and a Moor." The article by which they guaranteed their independence with regard to the Jews is in this form: "That their Highnesses will not allow the Jews to have any power or command over the Moors, neither will they suffer them to become collectors of any revenue." The words with which their Majesties bound themselves to observe the contents of the capitulation are these: "We promise and swear to you by our faith and royal word, that each one of you may go out to cultivate your estates, and pass wherever you choose, in these our kingdoms, to search your livelihood wherever it can be found; and we will command that you be left in your own law and customs, and with your temples as you now are."—Mármol, *Historia del Rebelion del Reino de Granada*, lib. i. cap. xix.

might not be attributed to interested views, renounced the income of the new archbishopric, contenting himself with only a sufficiency for his subsistence.

“ The great exertions, the example of a holy life, and the sweet conversation of so worthy a prelate,” says the said Mármol Carvajal, “ had such an effect on the minds of the Moors, that nothing more dear and grateful reached their ears than the name of the archbishop, whom they called the great Alfaqui of the Christians. Hence did it happen, that many spontaneously came to be converted, and possibly with greater zeal than others afterwards did. He began to teach the Moors the things belonging to the faith of God ; which he gave them to understand with such sweet and loving words, that not only the Alfaquis themselves took no umbrage if they were called upon to hear his doctrine, but even many of them came to hear it without being called. For those who wished to be converted he had particular houses, where he went every day to preach and teach them good precepts by means of faithful interpreters ; and, even for this purpose, he took the greatest care that some clergymen learnt the Arabic language, and

he himself in his old age endeavoured to learn it, at least as much as was necessary to teach them the commandments, the articles of the faith, prayers, and to hear their confessions."* So far the words of our historian.

The fruit this holy archbishop derived from his labours, compared with the useless efforts of other ecclesiastics who adopted a contrary system, is of itself sufficient to prove how weak all violence is in matters of religion. They considered it too much trouble to learn the language of the catechumens, particularly Ximenes, a hard and enterprising man, whom the government sent to aid, or rather to embarrass, the metropolitan of Granada in his ministry. They were of opinion that Mahometanism ought early to be banished from Spain, and that this might be done by assigning a peremptory period to the Moors, in which they were either to be baptized or leave the country. Their Majesties at first disapproved the measure, either because the conquered people, not having entirely laid down their arms, might again rise up; or else because such a forfeiture of the royal word, if every where censured, might render ulterior conquests more difficult; inconveniences,

* Mármol, *ibid.* cap. xxi.

as they themselves declared, so much the more deserving of attention, inasmuch as it was to be hoped that the Moors, by the society and kind treatment of the Christians, would at length embrace our religion; adopting, like other nations, the language and creed of the conqueror. However, when was it that a theologian failed to overcome the most irresistible argument; or when did our monarchs withstand the importunate suggestions of a divine? Ximenes and his faction, apparently desisting from their purpose, promoted it with greater ardour, by obliging the renegades, contrary to what was stipulated in the capitulation, and under pretext of the right held over them by the Church, to return to the fold, and allow their children to be baptised. In consequence of this, the inhabitants of Granada rose up; and the cardinal from that time sustained that they might be compelled to receive the faith, because they had been wanting to the subordination stipulated in the treaties; not adverting that the Christians, by infringing them first, had by this very circumstance authorised the insurrection.* In the early part of this work I fully demonstrated that the Church possesses no right to

* Mármol, *ibid.* cap. xxiii.

force those to return to its communion who have separated from it; how absurd therefore must be the doctrine of those schools by which Ximenes was guided, viz. that the children of such parents as the above may be baptised against their will.

Twenty-four years had elapsed from the time the Moors received baptism when our people perceived that their conversion for the greatest part had been illusive; because, contenting themselves with forcing them into a religion they did not know, instead of gaining them by love and instructing them in the dogmas of the Christian faith, they merely sought to strip them of their estates, to wrest from them their money by means of arbitrary exactions, or to deprive them of it by manifest robberies, and stain the honour of their wives, and expose them to all kinds of vexations. The converted Moors had complained to the Emperor Charles V. in 1526, when he was in Granada, beseeching justice of him in such terms that he was convinced their prayer was more than founded. "There came to the Emperor," says Sandoval, "Don Fernando Venegas, Don Miguel de Aragon, and Diego Lopez Banaxara, aldermen of Granada, and they presented to him in the

name of the Moors of the whole kingdom; a memorial of the injuries they received from the clergy, judges, bailiffs, and notaries; which memorial being seen by the Emperor, he was greatly scandalized at the Christians who did such things.”* Nevertheless the Emperor, instead of punishing these disorders, forgetting that in the war of the Comunidades the Moors were the first who took up arms in his favour, and conducting himself in all as if the oppressed, and not the oppressors, were the most blameable, transferred the Inquisitorial Tribunal of Jaen to Granada, in order to oppress them the more easily; commanding it to proceed against them, as well as against the converted Jews, who had taken refuge there from many quarters, if they did not amend.

“Proceedings,” says Hurtado de Mendoza, writing on this subject, “were instituted to prosecute offences connected with their laws, their property, and the uses of life, as well relating to its necessities as luxuries, to which this nation is greatly addicted. Wherefore the Inquisition began to press them more than had been usual. The King or-

* Sandoval, *Historia del Emperador Carlos V.* lib. xiv. § xviii.

dered them, (through the medium of the tribunal, and in this all our historians agree) to lay aside the Moorish tongue, and with it the commerce and intercourse held among themselves; they were deprived of the services of black slaves whom they bred up for the sake of their children, and also of their Moorish dress, in which they had large property invested. They were obliged to adopt the Castilian habit under costly forms; and it was commanded that their women should go with their faces uncovered, and that their houses, accustomed to be shut, should remain open; both the one and the other extremely insupportable to persons of so jealous a disposition. It was reported that orders were besides given to take away their children, and transfer them to Castile. They forbade them the use of baths, which constituted their cleanliness and entertainment, having previously precluded them from the use of music, songs, feasts, and marriages conformably to their customs, as well as all kinds of assemblies and pastimes."* It is indeed true, as the same author himself adds, that the Moors of Granada had in agitation several years before to deliver up the kingdom to the Barbary

* Hurtado de Mendoza, Guerra de Granada, lib. i.

powers, or to the Grand Turk ; but this was in consequence of seeing themselves tyrannized over by the Christians, as is confirmed by what he himself says respecting those of Valencia, who, notwithstanding they were better armed, refused to take part in this conspiracy, owing to their being less injured.

Further evidence of the insupportable slavery under which the Moors lived will result from an extract of one of the two intercepted letters they had written to Africa, which Mármol inserts, translated from the Arabic to Spanish by the interpreter of the tribunal of Granada. The original was in verse, after the manner of an elegy or lamentation in the style of the Asiatics, who are in the habits of exciting strong sensations by the melody of rhyme and the force of poetic images. In it, after making profession of the Mahometan faith, they strongly inveigh against the violence their spirit endured, by being compelled to follow a religion and assist at ceremonies of whose truth and utility they were not convinced ; and then pass on to enumerate the outrages they suffered on the part of government and the ecclesiastical state. Above all, the picture they draw of the Inquisition is elegant and proper. I have

consequently judged it advisable to offer an extract, inserting brief comments on those passages which, from containing an Oriental phrase, or certain allusions not altogether obvious, might not be perfectly understood.

“ In the name of the all-beneficent and merciful God. After magnifying God, who is alone in the heavens, (that is, who is one not only in essence but also in person,) let sanctification be with his chosen (Mahomet) and with his honoured disciples. Andalusia it is well known is famed throughout the whole world, and at the present day it is surrounded and hemmed in by heretics who encompass it on all sides; we are among them subjected as lost sheep, or as the rider with an unbridled horse. They have tormented us with cruelty; they teach us deceits and subtleties, (that is, they persecute us under specious pretexts and vain cavils) till man would wish to die with the pain he feels. They have put our people into their law, and forced them to adore figures with them, compelling them without any one daring to speak. Oh! how many persons are afflicted among the unbelieving! They call us together by the sound of bell, and from the time we are collected in the church a preacher

rises up with the voice of a screech-owl, and names wine and hog's-flesh, and the mass is performed with wine. If ye were to hear him humble himself and say,—This is the good law,—ye would afterwards see that the most sanctified priest of them knows not what thing is lawful and what unlawful. (Does not distinguish in his conduct the one from the other.) They fast during one month and a half; and their fast is like that of the cows which eat at mid-day.”

“ Let us speak,” continues the document, “ of the priest for confession, and afterwards of the priest for communion, (meaning the parish-priest and the Easter precept). With the latter the law of the unbelieving is fulfilled; and it is necessary that this should be done, for otherwise there are among them cruel judges who take away the estates of the Moors, and fleece them as shearers fleece the flocks. And there are others among them who are dignified and undo all the laws, (doctors and lawyers who trample on all rights, alluding to the inquisitors). Oh! how much do they run and labour in accord to lay wait for the people in every meeting and place! And any one who praises God by his own tongue (in Arabic) cannot escape

lost ; and he, whom they find doing so once, has an officer sent after him, who finds him out though he may be a thousand leagues off, and, having taken him, they cast him into the large prison, and by day and by night they fill him with dread, saying to him,—Remember thyself. (Alluding to the practice of forcing the culprit to guess the crime of which he is accused). The wretch is left to reflect within himself, with his tears flowing string after string, on hearing this admonition of remember thyself, and he has no other support than patience. They put him into a frightful large palace, and there he remains for a long time, and they open a thousand oceans to him (stratagems) from which no good swimmer can come out, for it is a sea that cannot be passed. From thence they carry him to the room of torture, and they bind him to inflict the same upon him, and they inflict it till they break his bones. After this they agree in the square of Hatabin, and there erect a large stage, and they make all resemble the day of judgment ; and he that frees himself from them is clothed in a yellow mantle, and the rest are carried to the flames with effigies and horrible figures.”

The concluding part adds, “Thence”

(the Inquisition) has greatly distressed us in all quarters, and encompassed us like fire. We are under an oppression it is impossible for us to bear. The feasts and Sunday we keep; on Friday and the Sabbath we fast, and after all we do not satisfy them. This wickedness has increased near their magistrates and governors; to each it appeared that the law ought to be made one, and they resolved thereon. And they hung up a cutting sword, and ordered that every door should be opened; and they prohibited our dresses and baths, and Arabs to be in the land. This enemy has consented and placed us in the hands of the Jews; in order that, in the collecting of the tributes, they may do with us what they please, without their having any blame therein, (that is, no responsibility). The clergymen and friars were all pleased at the law being made one, and that we were placed under their feet; (alluding to the project of extending their dominion over us). This is what has befallen our nation, as if it were to reward infidelity; (that is, treating the Moorish nation, as a return for its services, with as much severity as if it had been the most disloyal). It (the tribunal) has become wrathful upon us; it has grown furious like a

dragon, and we are all in its hands as the dove in the claws of the hawk." *

Such was the conduct of the Spanish clergy, and particularly of the Inquisition, towards the Moors of Granada during the progressive period of their expulsion. Those belonging to the crown of Aragon, and together with them all remaining in the other provinces, to the number of 500,000, were expelled in the year 1609, under the reign of Philip III.; whereby the total number of those who were driven away from the year 1502 to the above period, according to the calculation of various authors, nearly amounted to a million of persons.† In every other respect, those who promoted the persecution of the Jews and Moors, through the reasons they alleged, as well as the manner in which they conducted themselves, fully manifested that they had studied in the school of the persecutors of all ages. In the days of heathen Rome the priests, in order to instigate the emperors against Christians, made them believe, on the authority of their oracles, that misfortunes

* Mármol, *Historia del Rebelion del Reino de Granada*. lib. iii. cap. ix.

† Fr. Jaime Bleda *Crónica de los Moros de España*.—
In the Latin Inscription placed at the end.

would never cease in the empire till they were exterminated ; and this same reason was alleged by our priests against the Jews as a means to induce our monarchs to effect their extirpation.* When Pharaoh had resolved to oppress the people of Israel, he commanded Egyptian midwives to attend their women during child-birth, and to cast all their male infants into the Nile ; in like manner, our priests in Valencia, trampling to the ground the most sacred rights of paternal authority, deputed Christian midwives to watch over the state of pregnancy in the Moorish women, who seizing their children carried them away, if not to kill them, which by many parents would have been less sensibly felt, at least to baptize them.†

Finally, this tribunal has tormented the spirit still more than the body, by enthralling the consciences of the people and outraging nature in its most tender feelings. When established in Toledo, in the year 1485, the inquisitors, at the expiration of the forty days' grace, called together the Rabbins of the

* Da Costa Matos Discurso contra a heretica Pravidade do Judaismo, cap. xvi.

† Fr. Jaime Bleda, Cronica de los Moros de España, lib, viii. cap. xi.

Synagogue and made them swear, according to their own laws, that within thirty days more they would give information of the Jews who, being baptized, still professed the Jewish religion, threatening them with capital punishment if they did not comply therewith; nay, they moreover ordered them to establish an excommunication in their Synagogues, conformably to the Hebrew rites, against those who did not lodge information in the form above prescribed. The inquisitors on that occasion relied on the respect the Jews had for their own law, and obliged them to preserve it in the part that concerned them; but in that which did not they forced them to trample upon it.* The above is as far as relates to the violation of consciences: with regard to that of the most tender feelings of the heart, we can state that the tribunal of Zaragoza in the year 1486, having burnt Gaspar de Santa Cruz in effigy as an accomplice in the death of the inquisitor Saint Peter Arbues, after he had fled to Tholouse in France, condemned his son, who from an impulse of filial affection had aided his father in his escape, to proceed to the above city of Tholouse, carry there the sen-

* Llorente, *Anales de la Inquisicion*, cap. iii. n. 22.

tence of his deceased parent, and to unbury and burn his body; bringing back to Zaragoza, as in fact he did, authentic testimony of his having executed the sentence.*

Having now amply proved that the Inquisition, even when acting according to its own spirit and system, and consequently within the limits assigned to it, pre-eminently unites the peculiar qualities of a tyrant; it is high time for us to examine whether its ministers, in the use they have made of those faculties, have belied or confirmed this character. Nothing will better decide this question than the repeated complaints which all kinds of persons and corporations have addressed to the superior authorities against the tribunal. Wherefore, taking up the thread of its history from the time of its re-establishment, when, extended through all Spain, it attained its highest greatness and power; and descending down to our own days, I will present in chronological order an uninterrupted series of remonstrances, either from individuals, mostly bishops, or councils and other tribunals, as well as from the kingdom assembled in Cortes, evidently proving that its conduct has constantly been the most arbitrary and

* Llorente, *ibid.* n. 30.

atrocious. Indeed from its commencement Fernando del Pulgar assures us, "that certain relations of the prisoners and condemned persons remonstrated, by saying that this Inquisition and its inflictions were more rigorous than they ought to be; and that, in the manner in which the proceedings were usually instituted, as well as in the execution of the sentences, the ministers and executors thereof evinced that they were actuated by odium against the above persons."*

Thus a year after the tribunal had been installed in Seville, Pope Sixtus IV., moved by the clamours addressed to him, but, on the other hand, unwilling to deprive the first inquisitors, Fathers Juan de San Martin and Miguel de Morillo, of their offices, not to offend their Catholic Majesties who had named them, informed the latter that it was his will the diocesan bishop should also take part in the trials for heresy. The complainants stated, in their remonstrance, that the aforesaid inquisitors imprisoned many without any cause therefor; that they tortured them cruelly in order to compel them to confess crimes they had never dreamt of commit-

* Pulgar, *Crónica de los Reyes Católicos*, part ii. cap. lxxvii.

ting; and that, after being condemned, they delivered them over to the secular arm, and confiscated their property; forcing others through dread to leave their families notwithstanding they professed the true faith.* At that time Aragon, Catalonia, Valencia, and Majorca, were in a similar state, labouring under the despotism of the tribunal, as appears by the complaints thence addressed to the same pontiff; who, in consequence thereof, in 1489 deposed Father Christóval Gálvez, inquisitor of Valencia, alleging his indiscretion and cruelty as the motive. I ought however to advert, that the blame in great measure rested on Sixtus IV., owing to his having undertaken to re-establish in the above Inquisitions, by a brief of the 17th of April, 1482, the primitive rigour of this institution, and consequently its arbitrariness.†

The brief just quoted was written by the pope to their Catholic Majesties, in answer to a request they had presented, beseeching him to reform certain alterations he had made in the mode of trial used in Aragon, by which

* Llorente, *Anales de la Inquisicion*, cap. ii. n. 41.

† Zurita, *Anales de Aragon*, tom. iv. lib. xx. cap. xlix.

—Llorente, *Anales de la Inquisicion*, cap. ii. n. 46.

he had estranged it still more from the common law. In it he tells them that, before making such a regulation, he had considered the matter well, consulting about it with the cardinals, and offering to examine it afresh; but that in the mean time the causes were to be instituted in conformity to the rules he had prescribed. In another brief to the queen, dated the 23d of February, 1483, applauding her zeal for the Inquisition, he does not disguise the vexation he experienced at the opposition he had met with on the part of the magistrates of Sicily to some innovations relating to the tribunal.* These two facts induce me to suspect that, if Ferdinand and Isabella have hitherto been considered as the authors of the establishment of the Inquisition in Castile, the project was nevertheless formed by Sixtus IV., who caused it to be proposed to them by Torquemada; nor can it be believed that the pope, evincing so much resolution with regard to some provinces, would remain indifferent with respect to others. We therefore think that, whilst their Catholic Majesties sought to give proofs of their piety by soliciting the establishment and enlargement of the tri-

* Llorente, *Anales de la Inquisicion*, cap. ii. n. 52.

bunal, they were themselves, without knowing it, instruments of the court of Rome and of the friars who surrounded them.

Neither did it follow, because their Majesties were allowed to name an Inquisitor General to exercise his authority with the aid of a council, that the Inquisition was more moderate; the establishment was intrinsically vicious in itself, and, on that account, incapable of substantial improvement. This is proved by the outrages committed by Lucero in Cordova at the beginning of the 16th century, under the government of the Inquisitor General Deza, and which gave rise to the popular commotion alluded to when speaking of others of a similar kind. Whether it was that the above inquisitor, following the impulse of his characteristic fanaticism, beheld the Jews with feelings of aversion; or, as is most probable, his conduct proceeded from the desire of revenge, avarice, or some other equally base passion, his excesses were of such a nature that the bishop, on the one hand, and the municipality and the city council, on the other, sent up delegates to government, beseeching a remedy to such enormous proceedings. Lucero supposed that synagogues existed in the above

city in which all the ceremonies were celebrated according to the Mosaic rites, and that they were frequented by persons of all ages, classes, and conditions, brought there from afar by the devil under the form of a he-goat. Certain prisoners, hoping that their fate would be less unhappy by the number of the calumniated being greater and more respectable, implicated several persons of distinction in their own suits, in such manner that many of the principal families of Castile and Andalusia incurred the stigma of defamation. "Who but Lucero," says the Italian Peter Martir de Angleria, who wrote about that time and enjoyed the dignity of the priorship of the cathedral of Granada, and was also member of the Council of the Indies; "who but Lucero," says he, "could have listened to such fables, and thereby promote the condemnation of any one, thus bringing a stigma on all Spain? The council (a special one named by the king) is now searching out the origin of this evil; its members read all the trials, and revise with continued labour the sentences of so many persons burnt and fined."*

Granada being at that time subject to the

* Pedro Martir de Angleria, epist. ccclxxv.

Inquisition of Cordova, it was impossible that a prelate of the character of Father Hernando de Talavera, whose conduct formed a most striking contrast to the tribunal, could escape its persecution. It being held by no means degrading to enter into matrimonial alliance with the daughter or grand-daughter of Jews voluntarily converted, not only several bishops, but also many persons of all ranks of nobility in the female line descended from these marriages. Of a pretext of this nature it appears the Inquisition availed itself for the purpose of injuring the above worthy metropolitan; and whether or not such origin was real, no sooner was his patroness, Queen Isabella, dead than it aimed its darts against him, by instituting a suit and arresting several of his relations, as well as some prebendaries belonging to his church. In addition to the odium which the tribunal bore towards the prelate, it happened that the queen did not recommend the Inquisition in her last will, as her husband afterwards did, and as it was expected she would have done, since its foundation in Castile was her own work; an omission attributed to a want of inclination with which the archbishop had inspired her. The latter recurred to the king, not only imploring his

authority against the oppression by which he himself, as well as all the people, were involved, but also beseeching him in the most tender manner to proceed to Cordova in person, for he expected that otherwise the evil would not be stopped. The following are his own words, by which it will be seen that the Inquisition, before it had existed 25 years under its new plan, had given sufficient proofs that its defects and conduct were such as to denote in after ages no other than a perpetual chain of unjust acts :

“ The archbishop of Granada says he knows not to whom he can complain, nor to whom he is able to tell his anguish, so as to receive condolence, consolation, and aid, unless it is to your highness, to whom his affairs belong. It is notorious to your highness, and to all those who have heard what has been done to his relations and the persons and officers of his household, that this must bring upon him great discredit and dishonour. From this also great offence arises to our Lord ; for no one has seen or read that a prelate so high and so much respected was ever before so ill-treated, dishonoured, and defamed, when his character, honour, and reputation were so necessary and advantageous to the good example of the

above people and newly Christian kingdom. To seek to dishonour him, not only in his person and household, but also in the officers of his church, of whose assistance he availed himself for the good government of the same, as well as the benefit of the people, at the same time that they were esteemed as good Christians and no misconduct had preceded, appears to have originated from no other wish than to blacken his reputation. For besides seizing their persons, in the manner of so doing and carrying them away, they have performed every thing possible that the same might happen in the most dishonourable, public, and injurious manner, with words extremely offensive to them and to the person of the archbishop himself."

"It appears to the archbishop," he adds, "that in so great and weighty an affair the true remedy would be for your highness yourself, if it were possible, to pass over to the above place in person, and examine the whole yourself; since this would be as necessary for the increase of our holy Catholic faith, and as great a service to our Lord, as a conquest performed over infidels. If this cannot be done by your royal person, (which would be the most necessary and the most advantage-

ous; as, by your highness hearing the aggrieved, they will dare to speak the truth, and will have freedom and courage to manifest their injuries,) if your highness cannot come, (which without urgent reasons you ought not to excuse,) he beseeches that some one may come who can impartially see into the whole affair; and, above all, let the inquisitors be suspended. And if the archbishop of Seville (Deza, Inquisitor General,) is to go, let your highness command that some other prelate accompany him, as well as other persons who may act impartially; by inquiring into the infamy, as well general as particular to each person, and when they have obtained the necessary information, as is consistent with the laws, let the parties be arrested, and kept in prison till the truth is known; but not to straiten or confine them harshly or cruelly, as is usually done, but merely to prevent them from escaping, treating them with mildness both in words and actions, and allowing them to have lawyers of their own choice. They ought not to be taken out of their own provinces for trial; let the names of the witnesses be given to them, except to the powerful, because this is conformable to right; let all have a day,

month, year, and place, and let them appeal on just pleas from the inferior to the superior courts, rejecting those judges as suspicious who may have just cause to be rejected ; and let all and every thing which the laws ordain and order be granted to the culprit for his defence, for otherwise he cannot defend himself, and defence is of divine and human right."

He thus concludes, " and with regard to the past, let the inquisitors undergo a full examination, because thereby your highness will be better and more truly informed ; for among other things you will find one which causes great suspicions, since they have frequently given out that some of the prisoners are reconciled when they are not, and according to appearances never had been, for afterwards proceedings were carried on against them and their trials continued in the usual forms. And they have harassed and troubled others by many unjust acts to cause them to say and confess in divers manners and forms not permitted but rather forbidden by law, whence great suspicions arise against those who act in this way, as well as great injury to the prisoners, and great infamy to their relations. He (the archbishop) makes known to

your highness, that nothing of what you ordered has been done, nor have they (the inquisitors) ceased proceeding; and he beseeches your highness to command this in a more impressive manner that the same may be fulfilled, so as not to give room for the culprits to be judged, because they and every body are of opinion that they are dealt with unjustly.”*

So far the persecuted metropolitan. What he says with regard to the inquisitors, who gave out that many were reconciled, when in reality they were not, and the proceedings against them continued, I understand as another of the means furnished by the inconsistent forms of this tribunal in order to trample on the culprit with impunity. Did the inquisitors seek to ruin one whose life was for the first time pardoned by the law on condition of his repenting? The way to effect this was for the proctor to retain some of the charges till after the reconciliation had taken place. On this being done, the trial was opened afresh, when the inquisitors declaring the former confession of the culprit as defective, condemned him to the flames on the charge of false repentance. Under

* Llorente, *Anales de la Inquisicion*, cap. ix. n. 33.

such evil auspices as these did the Inquisition make its appearance, and even when it sought to be compassionate it was cruel. This is treating the inquisitors with equity, for it would be more natural to say, that from the very first they condemned culprits as relapsed heretics.

The aforesaid Peter Mártir de Angleria, writing to D. Íñigo Lopez de Mendoza, Count de Tendilla, and governor of the kingdom of Granada, respecting the state of the causes sentenced by Lucero and carried before the council, particularly that of his intimate friend Father Hernando, observes to him as follows. "Little by little the innocence of the oppressed appears. It is now notorious in every quarter, that the accusation against the deceased archbishop, so dear to you, was invented by an infernal fury. The witnesses are now well known, of whose testimony, both vain and foolish, as well as iniquitous and abominable, the son of darkness (thus he calls inquisitor Lucero), availed himself to torment so many bodies, disturb so many souls, and fill innumerable families with infamy. Oh! unfortunate Spain, mother of so many illustrious sons, now unjustly stained with so foul a blot! The son of dark-

ness is now a prisoner in the castle of Burgos, and the keeper has been commanded to guard him with all care. But what do we gain by this? Can this Thersites, perchance, by one death compensate for the calamities of so many Hectors? Can its being made public, that those unfortunate persons were condemned without reason by an iniquitous judge, bring any alleviation to the parties interested?"* The abovementioned prelate of Granada was consequently declared innocent by the pope, to whose tribunal the cause was lastly carried; but not on this account did the Inquisition respect his memory, since it included in the list of prohibited books for the year 1583, as well as in the following, one of the works he left written, thus giving vent to its inextinguishable rancour.† Notwithstanding this happened so soon after the foundation of the tribunal, the above was not the first prelate it had compelled to recur to Rome in order to defend himself from the imputed stigma of

* Pedro Martir de Angleria, Epist. cccxciii.

† The work is called, "Impugnacion Católica del herético Libelo que en el Año pasado 1480 fue divulgado en la Ciudad de Sevilla," and found under the article of Talavera.

Judaism. As early as the year 1490, and this after a long and expensive law-suit, it placed D. Juan Arias de Avila, bishop of Segovia, and one of the most worthy prelates that church ever possessed, under the necessity of going there in person.*

The Aragonese, in the Cortes of Monzon, for the year 1510, exhibited to king Ferdinand various injuries the tribunal brought upon them, either by taking cognizance of crimes which have no connexion whatever with heresy, by withdrawing the civil causes of the inquisitors and their dependants from the ordinary jurisdiction, or finally, by exempting the latter from public charges.† Exactly similar were the complaints of the Catalonians in the Cortes they celebrated in the same city, in the year 1512, adding among others, that the bishops were unjustly deprived of the means of exercising judicature in cases of heresy, through the exhortations the king addressed to them, request-

* Colmenáres, *Historia de Segovia*, cap. xxxv. § vii. and xiii. This author does not expressly say that the persecution was on the part of the Inquisition, but Páramo does.

† Llorente, *Anales de la Inquisicion*, cap. x. n. 9.

ing them to abstain from the same.* In order that this may be better understood, it is necessary to advert, that the inquisitors, availing themselves of the mediation of the queen, had endeavoured to prevail on Sixtus IV. to inhibit the said prelates from taking cognizance of the causes of converted heretics; which was the same as to exclude them from the Inquisition, since nearly all those

* The tract relating to these Cortes, written in the Lemosin or Catalanian language, bears the following title. "Capitols y Modificacions fetes y otorgades por lo Inquisidor General en les presents Corts de Monço, del any 1512, per los Ministres y oficials de la Inquisicio, e sobre lo Modo de procehir." The clause which commands that bishops shall not be prevented from assisting at the sittings of the tribunal, is the xxvith, and it bears this heading: "Que los ordinaris no sien forçats per letres del senyor rey en cometre als inquisidors la conexensa; ans puguen entrevenir com son tenguts en les sentencies y declaracions." The body of the clause is as follows: "Item per quant per disposició de dret los ordinaris e diocesans han de concórrer ab los inquisidors en la cognicio y disquisio dels crims e causes de heretgia, y per letres e pregaries de sa altesa fins aqui efectualment no se observe, tant per los ordinaris fer comissio als inquisidors et als, que placia á sa altesa abstenirse de semblants letres e pregaries; e lexar als ordinaris que se hagen en la cognicio y declaracio e execucio segons per dret comu es disposat e ordenat no toque á sa senyoria."

at that time agitated were of this kind. That such a request was made to the pope appears by his own words to queen Isabella, which are as follow. "With regard to the desire you express, oh! dearest daughter, that the causes of the new Christians be confided to the inquisitors alone, as this is an affair of great importance, we will consult on it with some of the cardinals, our venerable brethren, by whose accord we will endeavour to comply with your wishes in every thing we conscientiously can."* The pope did not accede to the solicitations of the queen, but he issued two briefs, the one addressed to Don Alonso de Fonseca, archbishop of Santiago, and the other to Cardinal Mendoza, then archbishop of Toledo, charging them to admonish the bishops of the Hebrew line, to commission their coadjutors and diocesan

* This brief is inserted entire by Llorente, at the end of his work entitled, "Memoria Histórica sobre qual ha sido la Opinion nacional de España acerca del Tribunal de la Inquisicion." These are the words of the text "*Quantum vero attinet ad negotium neophytorum quod solum inquisitoribus deputatis demandari velles, quoniam res est magni momenti, adhibebimus aliquos ex venerabilibus fratribus nostris Sacre Romanæ Ecclesiæ Cardinalibus, et eorum consilio quantum cum Deo poterimus, tuæ voluntati*

vicars to assist at the above causes, provided they did not also come of Jewish extraction, and were not in any way connected with such heretics, or rendered suspicious from some motive or other.* Nothing more was necessary for the authority of the pastors to remain at the mercy of the tribunal; since it was easy to excite doubts against them respecting their birth and relationship, in which case, and whilst these doubts were clearing up, the bishops had to continue inhibited. And who, to sustain the rights of his mitre, would consent to subject himself to a purification, which, by not turning out well, might prove fatal to him? The aforesaid inspection, first of all given in charge to the archbishops of Santiago and Toledo, and afterwards transferred to the king, from adding to the former inconvenience the respect due to the sovereign, completely paralysed the episcopal jurisdiction; and such was the state of the latter, when the Catalonians cried out for their ancient representation to be restored to the bishops.

Another similar petition was laid before Charles V. by the Castilians in the Cortes of

* Llorente, *Anales de la Inquisicion*, cap. ii. n. 62 and 63,

Valladolid, in the year 1518, couched in the following terms : “ Moreover, we pray your highness to command measures to be taken that in the office of the Holy Inquisition, they proceed in such manner as to keep entire justice ; that the wicked be punished, and the good and innocent do not suffer, abiding by the sacred canons and the common law enacted for such cases. And we further pray, that the judges who may be chosen for these purposes, be generous, of good character and conscience, of the age the law prescribes, and such as it is presumed will do justice ; and further, that the bishops be allowed to sit as judges conformably to right.”*

* This petition is inserted in a royal edict, then withheld, but copied by Llorente in his *Anales*, cap. xviii. n. 30. It is also inserted by Sandoval, but with some variation, and ending in the following manner : “ That the diocesan bishops be the judges in conformity to justice ;” in which the article *the*, preceding the word *judges*, is deserving of particular notice, as it thereby might be believed, contrary to the letter of the petition itself, that the deputies of the kingdom had therein proposed that the causes of heresy should be taken from the inquisitors and restored to the diocesan bishops, which in reality was to abolish the Inquisition. There is, however, a manuscript of the year 1786 preserved in the archives of the Cortes, and entitled, “ Coleccion de Cortes y documentos á ellas perteneci-

Charles V. exceeded his predecessor in despotism, and consequently could not fail to patronize an establishment modelled after his own heart. The complaints, therefore, of the aforesaid Cortes of Valladolid, as well as those of Zaragoza for the following year, were attended with no effect. In the first, the representatives of the kingdom projected a plan of reform, and presented a grant of 10,000 ducats to John Salvax, a celebrated Flemish jurisconsult, and chancellor to the emperor, that by his ascendancy over the resolutions of the latter, he might incline his

entes," (tom. xxi. fol. 123), which accords with the authority of Sandoval. Nevertheless, the palpable contradiction this reading involves prevents me from hesitating an instant to prefer that of the ancient royal edict. The corruption in the two latter authorities, beyond doubt, arises from the transcribers not being acquainted with the antecedents, and seeing that the canons never forbade bishops from intervening in trials of the faith; and, on the other hand, not being able to suspect so much audacity in the inquisitors as an attempt to exclude them, they considered the petition as useless unless it was taken in the other sense, for which it was necessary to add the above article to the word judges. The truth of this observation is proved by the brief of Sixtus IV. to the queen, the two briefs to the archbishop of Santiago and Cardinal Mendoza, together with the clause of the Cortes of Catalonia, when the same are respectively compared.

royal mind towards them, offering 10,000 more, payable the day on which the decree was issued. This decree, addressed to the persons and tribunals in the regular forms, and which I am now about to present to my readers under an abbreviated form, by prescribing the rules which thenceforward the Inquisition was to follow, clearly points out the vices belonging to it, as well as those which were afterwards added. It is as follows :

“ Be it known, that I the king being in my earldom of Flanders, report was made to me by many and divers persons of these our kingdoms and lordships, that it might be about forty years since general inquisition was therein made for the detection of heretical pravity and apostasy, and that although the Office is in itself good and holy, the form and order established therein is so rigid and harsh, and accompanied with so much secrecy and imprisonment, that great room has been given for many false witnesses, as well as for the malice and deceit of some wicked officers and ministers. In consequence of which many innocent persons have suffered death, injuries, oppressions, infamy, and intolerable hardships, and their sons and daughters harsh treatment, which has given

rise to the commission of many other excesses, and caused many of our vassals to depart and absent themselves from these our kingdoms. Wherefore, they have prayed us to command and provide such forms as ought henceforward to be adopted in judging the above causes conformably to justice; and for this purpose they have presented to us many heads of the wrongs which have hitherto been committed. And lately in the Cortes which have been celebrated in Valladolid, the representatives of the kingdom of Castile, Leon, and Granada, among other points, have prayed us to take such measures that in the Office of the Holy Inquisition justice be done." (Here he inserts the petition already alluded to.) "And the said representatives," continues he, "informed us of the hardships which these our kingdoms and the inhabitants thereof have endured, and they subjoined the opinions of learned persons respecting the manner and order that ought to be observed, which we commanded to be placed under the consideration of some members of our council, and of other persons of science and conscience, in certain colleges and places of general study, as well within as out of our kingdoms, and the same have

informed us that, in order that justice may be administered in the said Holy Office, it was advisable to abide by the following rules.

“ First, to provide good judges and ministers, of the age of more than forty years; that their salaries be fixed, and not paid out of the condemnations they may perform and the penances they may impose; that your Highness promise to make no grant to any judge or officer of property, office, or benefice belonging to condemned persons; that if any inquisitor should be recused by a prisoner, arbitrators shall be chosen to take cognizance of any such exception, and if they should consider him duly recused, he shall not be allowed to interfere in the cause; that every two years persons shall be sent on a visitation to the respective provinces, to inquire how the inquisitors execute their offices, and that the judges and officers, who have not complied well with their duty, be deprived of their employments; and that those who complain of wrongs be allowed so to do, and be not on that account imprisoned or ill-treated; that the judges do not go about seeking out witnesses against persons whose reputation is not injured, nor question the prisoners or those on whom they may inflict

the torture respecting them; that whenever any witness steps forward to lodge an accusation against another person, he be examined by the judges upon oath, to discover whether he be an enemy of the parties, or whether he have been bribed or suborned, what his age is, and that they cause him to undergo all the other scrutinies necessary to discover the truth.

“ Item: that whereas from the imprisonment for this crime great infamy and injury result to the imprisoned, as well as to the relations thereof, no one shall be arrested unless such proofs be previously obtained as may furnish strong inductions that the prisoner will be condemned according to law; also that the prisoners be placed in a public and decent prison, such as may serve for security and not for punishment, and that mass be there said to them and the holy sacraments administered, as is just and proper; that every time they wish they may be visited by their wives, children, relations, and friends; and that they choose their own lawyers and attorneys for their defence, even though these may be related to them; that as soon as they have been confined, their accusation shall be drawn up, in which nothing shall be im-

that may not have been denounced against them, and they shall be notified of the time and place in which the witnesses declare they committed the crime ; that, together with the accusation, they be also furnished with a copy of the entire information lodged against them as the same may have been received, together with the names of the witnesses ; that our most Holy Father (the pope) do declare, that the text which says, that the divulging of the witnesses may be refused whenever the power of the accused is so great that the security of the said witnesses is justly endangered, be understood only of grandees and prelates, and not of any other persons, because experience has taught that, by leaving this to the will of the judges, they have universally denied it to all ; that when the divulging of the witnesses is to be refused to the powerful, the judge is to declare the same by an actual decree ; and that from this decree the accused parties shall be allowed to appeal to our most Holy Father.

“ That the torture be administered in a moderate manner, conformably to the existing inductions and proofs, and that use be not made of harsh and new inventions as hitherto practised in this Office ; that he who

may have been once tortured shall not be again obliged to endure the same, nor threatened, unless on fresh grounds; that from the sentences, as well interlocutory as definitive, appeal shall be allowed before our most Holy Father; that when the proceedings are to be examined in order to proceed to sentence, the parties with their lawyers and attorneys shall be present, to see if any part of the evidence be wanting; that when the accused is to be absolved in consequence of sufficient proofs not being found against him, the judges shall not condemn or mulct him in any sum of money, or impose any other penalty, by saying that although proofs do not exist, they nevertheless have suspicions, and for that reason condemn him; nor shall they take upon themselves any other plea for condemning him, when he ought to be absolved; that when any one seeks to clear up the testimony lodged against him, the judges shall allow him to name all the witnesses he may wish, and in default of some, he may name others; that the witnesses may on proper grounds be rejected, and those who may turn out false shall be punished with the talion-law.

“Item: whereas, in past times, some part-

sons have confessed their faults and afterwards lived in a Catholic manner, though through forgetfulness it is believed they might omit to state some offences, or other circumstances tending to prove the existence of criminality; or in like manner neglect to acknowledge the same respecting their mothers, fathers, children, brothers, and relations, and wives of their husbands, with whom they may have been participators in the said crimes, or seen them commit the same, on which account many have been condemned, and their property taken away on the plea of their being feigned penitents, from which circumstances great injury has arisen; henceforward let those who may be arrested on similar grounds be absolved, since it is presumable that as they confessed the one they also would the other if they had remembered it, and on this account they ought not to undergo the penalty of money, or any other.

“Item: whereas some judges have attempted to cite before them, by a general edict, the children and grandchildren of condemned and reconciled persons, and obliged them to furnish their names and ages in writing, together with the particulars of all their genealogy and relations, and very frequently

proceeded against them without any previous denunciation, and merely on the grounds that they were educated with such condemned and reconciled persons, and consequently must have seen them commit crimes or else be participators in the same, and if they do not institute regular proceedings on these grounds, they impose penalties and penance, from which great injury and infamy result, let it be commanded that this and other similar hardships shall cease.

“Item: that whereas in the churches and monasteries dresses are hung up, on which the names of those who may have been condemned and reconciled are written, whence great infamy arises to their descendants living in a Catholic manner, and some of the reconciled are besides compelled to wear their names on their clothes, let it be ordained that all such dresses shall be taken down from the churches and from the persons who may have to wear them; and that those persons who are in perpetual confinement may have their punishment commuted into another penalty, because there they die of hunger and do not serve God.

“Item: that as in some brotherhoods and orders, statutes have been enacted

ing that persons descending from the line of converted heretics, even when they are Catholics, shall not be allowed to enter therein, let the said statutes be taken away and erased, since they are made contrary to all divine and human right.

“Item: that when any one is arrested, his property, goods, or estates, shall not be taken away or sold, an account shall only be taken of them in order that the same may not be transferred; that out of them the prisoners shall be allowed to expend what is necessary for their own maintenance, as well as of their wives, children, and families, and also for their defence, and whatever else may be necessary, without any obstacles being put in their way; that their children or other Catholic descendants inherit their property; and that in all the form and order of the common canonical law be observed.”*

Chancellor Salvax died before this project was laid before the Emperor, and with his death the hopes of the Castilians were frustrated; nevertheless, the Aragonese were not dismayed, but collecting the principal points therein contained, they warmly prayed for their approval. Charles V., however,

* Llorente, *Anales de la Inquisicion*, cap. xii. n. 28, &c.

paid the greatest deference to the smallest insinuation from his former pedagogue, Cardinal Adrian Florencio, dean of Utrecht, Inquisitor General, and soon afterwards the seventh pope of that name; wherefore he merely answered them that it was his will, that in each and every one of the above articles, the canons, ordinances, and decrees of the Apostolic See should be observed; that if any one wished to lodge a complaint against the inquisitors, or any other ministers of the Inquisition, for excesses committed in their duties, the same might be done before the Inquisitor General; finally, that he swore, and would cause to be sworn, the observance of this his will, together with the interpretation the sovereign pontiff should be pleased to give to the aforesaid articles. The Aragonese, either because they did not advert to the duplicity of a resolution which, by inculcating the observance of the pontifical bulls, sanctioned more and more the vices of the tribunal, or else because they expected to find favour at Rome, received and proclaimed the above as a real triumph. The latter appears most probable, for Leo issued three briefs, one addressed to the Emperor, one to the Inquisitor General, and the

other to the inquisitors of Zaragoza, in which he made the mode of trial in the Inquisition uniform with that of the other ecclesiastical courts. The briefs came to Spain; and the Emperor, suspending their publication, solicited the pope to revoke them, and thus avoid all innovation in the affair.*

In an age in which monarchs were every thing and the people nothing, it was of little consequence to Leo X. to disgust the Spanish nation, provided only he pleased its chief; consequently he revoked the above briefs, but admonished Cardinal Adrian to watch over the conduct of the inquisitors, in such terms as gave him to understand the quality of the complaints which had been received against them. "Respecting the reform of the Inquisition," says he, "and the punishment of the crimes of some ministers, of whose avarice and iniquity complaints reach us every day, and from every quarter, we had begun to take the necessary measures, because we cannot fail to defend the cause of the omnipotent God, which appeared to be injured by the infamous conduct of such persons; and, besides, we are bound to watch over our own honour and that of this

* Llorente, *ibid.* cap. xiii. n. 15, &c.

Holy See, whose authority they have too often disregarded, with a certain kind of insolence hitherto unknown. To the end that this tribunal may be governed conformably to justice and true piety, and the inquisitors do not convert right into wrong, and zeal into avarice, your goodness ought to put you on your guard as to such practices, and not allow you to give too much credit to their assertions. Wherefore we confide this matter to your charge and circumspection, enjoining you conscientiously to watch over the judges and other subalterns; in order that they do not institute causes relating to the faith from a principle of odium or a thirst after gain, but for truth and justice; since for the evils they commit you will be answerable to God and man, as by your own will and our authority you took upon yourself the government of the Inquisition."* Let the wishes of Charles V. for a reform in the tribunals of Valladolid and Zaragoza have been what they may, it cannot be doubted, that in Barcelona his way of thinking was different; for being called upon by the Aragonese deputies, who waited upon him in order to promote a reform, he answered them, that on

* Llorente, *ibid.* cap. xiii. n. 20.

no account would he forget his soul, and that he would rather lose part of his dominions than permit any thing to be therein done contrary to the honour of God and the authority of the Holy Office.*

Both the Castilians and Aragonese, on seeing the unfortunate issue of their solicitations, from that time abandoned their hopes of a radical reform; and considering themselves as sufficiently happy if they succeeded in softening a yoke it was impossible to dislodge, they confined themselves in future to declaiming against the abuses of the tribunal. Hence did the Cortes celebrated in Corunna and Santiago, in the year 1520, lay the following petition before the Emperor. "Let your Majesty command that the members of the council and officers of the Holy Inquisition, be persons of good character, of science, and conscientious, because such will do justice; and let them be paid by fixed salaries, and not out of the property of condemned persons; since of the necessity of this being done, if your Majesty be pleased, full and ample testimony shall be given for the discharge of your royal conscience."

* Dormer, *Anales de Aragon*, lib. i. cap. xxvi.

* *Coleccion de Cortes*, tom. xxi. fol. 180. MS.

The Emperor answered them, that he undertook the charge of seeing that the Inquisitor General and his subalterns thenceforward did their duty in a proper manner. This he promised to do, but he did not comply with his promise, or else the inquisitors disregarded his orders ; nor can any other conclusion be drawn, since on the one hand the excesses continued, and on the other the remonstrances were unabated. The Catalonians, in the Cortes of Monzon for the same year, brought forward the agreement sworn to by the King and the Inquisitor General, insisting on its observance ; but the tribunal even then was so far from complying with its stipulations that, in the Cortes of Barcelona for the year 1559, they had again to impress the same obligation. The Castilians complained afresh against the abuses of the Inquisition, in the Cortes of Valladolid for 1523, and in those of Toledo for 1525 ; as well as the Aragonese in those of Zaragoza in 1526, and those of Monzon in 1528. Of the latter the following articles deserve particular notice.

“ Item : whereas in the Cortes lately celebrated by his Majesty in the city of Zaragoza, on the part of the kingdom it was prayed

that, as a remedy to the abuses which the officers of the Inquisition committed in this said kingdom, his Majesty would be pleased to entreat the enactment of a bull from our most Holy Father respecting certain complaints laid before his Majesty; and whereas the measures taken on this subject were not such as to accord with the good of the kingdom and the cause of justice; let his Majesty be entreated that the most reverend Lord Inquisitor command the other inquisitors to abide by the regulations which are subjoined at the end of each complaint, and for greater security that a bull be obtained confirming the same; and that it be therein specified that the dowries given to daughters by persons reputed to belong to the faithful, although they may be afterwards discovered to be heretics, even through crimes committed prior to the transfer of said dowries, cannot be confiscated.

“Item: whereas the inquisitors interfere in many matters unconnected with crimes of heresy, under the plea of their office, and even take out apostolic commissions to act in private concerns, in which they proceed rigorously as if the same belonged to the Inquisition, let his Majesty be entreated to take

such measures as may prevent them from interfering in other matters than those merely belonging to the crime of heresy, conformably to the regulations of the canonical law and the apostolic ordinances *in corpore juris*, and in no other manner; and that they be not allowed to accept apostolic commissions, or private ones; for, besides exceeding the limits prescribed for the exercise of the Inquisition, they do considerable injury to the parties concerned.

“Item: whereas the inquisitors interfere in various causes against secular persons by the way of inquisition or search, all which is prohibited by law, let his Majesty be entreated to order that they do not interfere in the said causes; leaving them to the ordinary judges conformably to the regulations of the courts of justice.

“Item: and whereas the conversion of the Moors of this kingdom has been performed more by virtue of the regulations of his Majesty than through the devotion of the converted, if the Inquisition interferes in a case of this kind, without giving them time to instruct themselves in the faith, this will be attended with most serious consequences; let his Majesty be entreated th

be given to them as was allowed to those of Granada."*

In fact when Charles V. established the tribunal in Granada, he exempted the Moors from confiscation; because the latter, as soon as they learnt that attempts were making to place the Inquisition over them, held a numerous assembly in which they agreed to remonstrate against the measure, offering, in order the better to obtain their end, to pay to him an extraordinary contribution of 80,000 ducats. With so good a recommendation their solicitation was not altogether disregarded, for the Emperor ordered that their property should not be confiscated, and that they should not be troubled on account of their dress. What likewise contributed to the success of this remonstrance was the favour of certain individuals who came in for a share of the money.† Nevertheless the above order was soon forgotten or revoked, since the Moors in their letter to those of Africa complain that the inquisitors deprived them of their estates, and obliged them to dress after the Spanish fashion. After the manner of those of Granada, and for similar reasons, the Moors of Valencia also obtained a grant from the

* Dormer, *Anales de Aragon*, lib. ii. cap. xli.

† Sandoval, *Historia de Carlos V.* lib. xiv. § xviii.

Emperor, that till after the expiration of forty years the tribunal should not exercise jurisdiction over them.*

One of the petitions of the Cortes of Toledo above referred to, respecting the means of restraining the disorders of the Inquisition, contains the following words: "That the chief magistrates should obtain due information of all such disorders and not allow them, but report the same to his Majesty and to his most high council, in order to provide for it a suitable remedy." This, in substance, was to request that the injured should be allowed an appeal to a superior authority. So just a demand at that time produced no effect; but the complaints against the inquisitors were such and so frequent, that in 1535 the Emperor was moved, notwithstanding his former protestations never to interfere with the faculties of the tribunal. The latter therefore remained divested of so fatal a privilege till the year 1545, when Philip II., governing the kingdom in the absence of his father, restored it to the Inquisition, secure of therein finding the strongest bulwark of his despotism.† From that period, the Tiberius of Spain, by favour-

* Dormer, *Anales de Aragon*, lib. ii. cap. xli.

† Covarrubias *Maximas sobre recursos de fuerza*, tit. xxxii.

ing the holy Tribunal of the Faith with an unlimited protection, as well as its partisan writers of all kinds, especially the Ascetics, and among them St. Teresa of Jesus and Father Luis de Granada, who canonized it more and more by their eulogiums, since their knowledge in this particular was far inferior to their piety, at length affixed a seal to the slavery of the nation.

About the year 1560, Señor Enriquez, abbot of the then collegiate church of Valladolid, laid a remonstrance before Philip II. against the Inquisition of that city, in which he speaks of the arbitrariness and avarice of its ministers, and how extremely advisable it would be for magistrates of the crown to take part in its trials. In proof of its designing conduct he asserts that in the cause of Canon Cazalla, the officers had allowed the nuns, who like him were imprisoned on the plea of Lutheranism, to converse with each other, in order that by confirming themselves the stronger in their errors they might be enabled to condemn them. As an additional proof of this and of the vice having extended to other tribunals, he adds that, having himself entered in company with the bishop of Palencia into the prisons of the Inquisition of Toledo, and reduced a Flemish prisoner to penance

who had not relapsed, the inquisitors refused to grant him the pardon of his life owing to the auto of the faith being already proclaimed, whereas according to practice he had not lost his right to receive pardon till his sentence was read on the platform. As a testimony of their avarice, he affirms that the inquisitors of Valladolid had a shameful dispute among themselves respecting the distribution of the confiscated money belonging to the unfortunate Cazalla.* Probably through a similar spirit of avarice, rather than just grounds, they also condemned the memory of his mother, a very devout lady eighty years old, and besides deaf and blind; nor were her daughter and grandchildren, who defended her, able to prevent their inheritance from being equally confiscated.

The Aragonese, in the Cortes of Monzon for the year 1564, pointed out the necessity of a new agreement with the King and the Inquisition, and being then unable to regulate the matter, they gave it in charge to a committee, on whose proposal Philip II. and the Inquisitor General, among other things, bound themselves to abide by the following

* Such is the purport of the original document which, together with the file of proceedings against Cazalla, was lately withdrawn from the tribunal of Valladolid.

rules: "That in Zaragoza the inquisitors should call in all the commissions given to titular officers, and in the said city name only sixty familiars; and in the other towns containing as many as one thousand persons, no more than eight, (and so on in the same proportion) all of whom were to be peaceable persons, honest and not powerful, not homicides nor robbers, nor persons having been tried for criminal offences, nor imprisoned for enormous and weighty cases. That when they have to proceed to any inhibition against the viceroy of his Majesty, the council, or royal high court of justice, they shall send a notary belonging to the court to give information of the affair, in order that the proceedings may be returned to the Inquisition, so as to prevent the above officers and judges from being cited to an hearing before the Holy Office. That they do not interfere so as to take cognizance of matrimonial causes, respecting the bonds of matrimony, nor tythes, although the same may appertain to officers and familiars of the Holy Office. That, with the exception of cases of heresy, they do not impede the king's judges in the administration of justice, under a plea that such delinquents have committed crimes whose cognizance belongs to them; but that when similar cases

occur, and the civil magistrate has first performed the arrest, the secular judges shall be allowed to proceed. That they do not defend and give aid to familiars who may hoard up grain or other provisions contrary to law; and in time of pestilence that they do not aid and defend them in the contravention of such regulations as may be enacted to prevent contagion; and that they also allow the goods and other property which the said familiars bring into Zaragoza and other towns of the district to be examined.

“ That the inquisitors and their commissaries be very careful not to issue any edicts with ecclesiastical censures for the discovery of robberies, debts, or other secret crimes, which may have been committed against the counsellors, officers, and familiars of the Holy Office; neither shall they be allowed to cite, by means of edicts containing the said censures, persons who may have been guilty, unless in cases of heresy or appertaining thereto. That when a merchant or any other person should fail, or become bankrupt in his credit, the inquisitors shall not interfere in and take cognizance of such matters, under pretext that the merchant who thus failed was indebted to some familiar or minister of the Holy Office, but they shall leave all

such causes to the secular judges, excepting when the said bankrupt is himself a familiar, in which case the inquisitors shall do justice."*

Such are the leading articles; and many observations could I make upon them were I not fearful of being tedious; nevertheless I particularly call the attention of my readers to the criminal patronage the Inquisition bestowed upon every wicked person who solicited it, by investing him with its privileges, or more properly by covering him with its cloak. This is a piece of deception it manifested from the beginning of its establishment, since so early as in the year 1321, Pope John XXII. reproved the inquisitors of Bologna on a similar charge.† The preceding agreement was not more efficacious than the former ones in restraining the Inquisition, as is proved by the circumstance of the Cortes of Monzon and Binefar, in the year 1585, and those of Barbastro and Calatsyud in 1626, proposing another, which at length was enacted in the Cortes of Zaragoza in 1646.‡

* Concordia hecha entre la C. y R. Mag. del Rey D. Felipe y el tribunal del Santo Oficio, a 17 de Mayo de 1568. It is found at the end of the book entitled, "*Actas de Cortes del Reino de Aragon.*"

† The brief is inserted by Eymery at the end of the Inquisitors' Directory.

‡ Dormer, *Angles de Aragon*, lib. i. cap. 344.

The above-mentioned Cortes of Monzon for the year 1585 were fully sensible of the repugnance of the Inquisition to all kinds of reform, or any measure that might counteract its despotism; since having stated various grievances which the kingdom had suffered and was suffering from it, and having also agreed that within six months arbitrators should be named, they added, that in case this nomination was not carried into effect recurrence should be had to the pope for a remedy; which in fact was done, as the nomination did not take place owing to a default on the part of the tribunal. About the same time the lord-lieutenant of the kingdom also recurred to Rome, owing to the inquisitors of Zaragoza having excommunicated him because he refused to deliver up to them a culprit who had taken refuge in the tribunal of the Manifestacion.*

* After the expulsion of the Moors from Aragon the people conferred the crown on the son of Sancho the Great, on condition of his granting them eminent privileges and liberties, so binding to the royal authority that they remained nearly in a state of political independence. Among these privileges was their being allowed to have a chief of the state, known by the name of *El Justicia*, authorised to watch over the conduct of the king, and to accuse him before the estates of the realm for any abuse of the power confided to him. The Justicia administered the coronation oath, and was in fact the guardian of the

who dying whilst the suit was pending the inquisitors opposed ecclesiastical burial being granted to him, in consequence of which his body was preserved embalmed till a favourable déclaration arrived from Rome, when he was interred in a most splendid manner.* The Aragonese, however, were not equally fortunate in an attack which the tribunal a few years afterwards made on their liberties, under the pretext of another arrest.

In the year 1598 the Inquisition of Seville, from a principle of etiquette, gave rise to one of those scandals to which all of them have propended. The above city, on the 25th of November, in the same year, was celebrating the funeral obsequies of Philip II. in the cathedral church, attended by the municipality, the high court of justice, and the tribunal of the Inquisition, when the latter began to fulminate excommunications, without any other

people's rights. By one of these privileges the Aragonese, when condemned to death, could have recourse to the law of the *Manifestacion*, which operated as a species of habeas corpus. By it the Justicia could take the prisoner out of the hands of the judges who had condemned him, and keep him in custody till he had ascertained whether the forms of law applied against him had been regular. This law formed the basis of the ancient civil liberty of the Aragonese.—T₂.

* Antonio Pérez, *Relación del 24 de Setiembre.*

plea than because the chief judge of the said court had covered his seat with a black cloth. The disorder was such that the officiating priest had to leave the altar and pass into the sacristy to conclude his mass, the tribunals remaining in their places the greatest part of the day, occupied in drawing up proceedings, protests, and intimations, till at length, through the mediation of the Marquis de Algaba, Don Francisco de Guzman, the Inquisition became more calm, and consented to give absolution, when both parties carried their affair before the king and council. The decision did not come down till the end of December, when the funeral honours were repeated, and during the whole of this interval the cenotaph, together with all the other mournful preparations, remained standing in the church, notwithstanding the feast of Christmas intervened. What this decision was our historian does not relate, and for this same reason we ought to presume it was not very favourable to the tribunal.*

* Zúñiga, *Anales de Sevilla*, lib. xvi. The above altercation is burlesqued in a delicate manner by Miguel de Cervantes, who happened to be at Seville at the time, in a sonnet, in which, imitating the bombastic style of the natives of that city, he celebrates the cenotaph and its

Among the many prelates on whom the Inquisition has trampled and whose complaints have reached the throne, the case of Father Antonio de Trexo, bishop of Carthage and Murcia, deserves particular notice, in consequence of the insulting encroachments he experienced in his jurisdiction in the year 1622. The inquisitors took upon themselves to exempt one of their familiars from performing the duty of receiver of the king's taxes on property sold, to which office he had been named by the city of Lorca; and as the chief justice would not consent to this pretension, they demanded aid of the mayor of Murcia, who, complying with his duty, refused it. The inquisitors, exasperated at such a repulse, threatened the mayor with ecclesi-

duration, as already mentioned by the author of his life placed at the head of the edition of Don Quixote published by the Spanish Academy. Cervantes himself, in his *Vjage al Parnaso*, chap. iv., calls this same sonnet "the principal honour of his writings." It begins as follows :

Voto a Dios! que me espanta esta grandeza,
Y que diera un doblon por describilla ;
Porque, a quien no suspende y maravilla
Esta máquina insigne, esta braveza ?
Por Jesucristo vivo cada pieza
Vale mas que un millon y que es mancilla
Que esto no dure un siglo, &c.

astical censures, then declared he had incurred them, and put up an interdict against him in the churches of the city. The bishop seeing such an outrage committed against his jurisdiction by the adoption of measures in which he had not been consulted, and unable to obtain their revocation, notwithstanding the capital of his diocese was under symptoms of insurrection, ordered proclamations to be made that the interdiction was not binding. The inquisitors then ordained all the edicts, answers, and proceedings instituted by the bishop to be called in, as being of a scandalous nature, containing bad doctrine and prejudicial to the authority of the Holy Office, adding that, in case they had been registered in any books or archives, they were to be blotted out in such manner that they could not be read. The Inquisitor General considering this prohibition as too small a punishment, notwithstanding it had been read on the day of St. Augustin in his own church at the hour of high mass, immediately proceeded to condemn the bishop to a fine of 8,000 ducats, commanding him under a penalty of 4,000 more to appear at court, in order to answer to the complaint lodged against him by the proctor. A remarkable circumstance in this affair is, that the tribunal did not stop pro-

ceeding therein, even after the king had interposed his authority and had referred the cognizance of the whole to the Council of Castile, in order to decide this question of competition, or determine what the latter might deem most proper. Nor is it less deserving of notice that the bishop and chapter of Murcia having sent up the dean and a canon to Madrid to defend their cause, the Council of the Supreme caused bills of excommunication to be posted up against both, and prohibited them from speaking on the subject; thus depriving the parties interested of every measure of defence, and interposing difficulties in the way of a just decision.

The bishop appealed to the King, and in order to convince him of the impropriety of the whole affair reminded him of the disturbances and tumults which the excesses of the inquisitors had caused in Sicily, Sardinia, Aragon, and Catalonia, in the use of their jurisdiction. The Council of Castile also remonstrated in support of the bishop's representation, in pursuance to a consultation held on the 3d of October in the same year, of which document the following clauses deserve insertion here: "Let your Majesty consider whether it is not sufficient to excite

tears to behold this dignity (that of the bishop) so high in itself, and so much venerated by all, now trampled upon; its authority cast down and debased, defamed in the pulpits, dragged along the roads, degraded by the tribunals; and that all this should be the work of an Inquisitor General, and of a Council of the Inquisition, who when they ought most to uphold the authority of religion, take it away from the first fathers of the same, by abusing the privileges introduced for the causes and matters of the faith, and employing them to stigmatise the natural defenders thereof, who are the bishops. Due and most just are all considerations to the faith as well as the Inquisition in matters relating to it; but great care ought to be taken that the latter uses its privileges in a proper manner, and does not avail itself wrongfully of them, otherwise kings will be frequently exposed to alarms, and the people will have to endure great distress. In this court of your Majesty persons of various nations and sects assemble, and there are also many secret heretics. Let your Majesty be pleased to consider what they will say and write; what courage and spirits will they not acquire in their errors, and what hopes can we entertain of seeing

them confounded and overcome? Most assuredly no precedent can be found by which they (the bishops) have been commanded to appear by any tribunal, unless it is by your Majesty on some occasion of state or superior government.”*

The inquisitors of Valladolid, in 1630, committed another of their customary insults against the episcopal dignity, by pretending, on an occasion when they were about to publish an edict prohibitive of books in the cathedral, that the bishop, at that time president of the chancery of the above city, should have the canopy taken down which had been prepared for him to celebrate mass in a pontifical manner, and they had already begun to put up ladders for the purpose. The scandal such a measure produced on a festival day, and at the precise hour of the publication of the edict, was so great, that the prebendaries were obliged to request them to suspend it. The inquisitors at length desisted, being restrained, not so much by the supplications of the former, as the vigorous remonstrances of the bishop;

* Report of the Council of Castile, quoted by the king's proctors Campomanes and Moñino in their report respecting the prohibition of books, laid before Charles III. on the 30th of Nov. 1768, n. 53.

but they carried with them, as prisoners, from the church, in a disorderly manner and with their officiating garments on, the first dignitary of the said cathedral, Don Alonso Niño, and a canon of the name of Don Francisco Maria Milan, both persons of distinction and great virtue. The royal council, consulting with his Majesty to whom the aggrieved parties appealed, exclaims in the following terms: " This case has appeared to the council, new, extraordinary, full of rigour and of violence, extremely discrediting to the authority of the Inquisition, and one in which your Majesty ought to interpose your royal authority, as well in consequence of the protection you owe to the cathedral churches as being their only patron, (and such a degrading act and outrage committed against them greatly takes from the right of patronage,) as because there is an obligation on the part of your Majesty to endeavour that the tribunals destined to act in matters of the faith be restrained within due authority and decency, since such matters can never be placed in more evident danger of being lost than by such irregular proceedings, so foreign to the modesty which ought to actuate their authors."

The council then proceeds to make various reflections, and concludes in these terms: " And since it is because the general Inquisition has not punished similar excesses with due rigour that the inferior tribunals take occasion to continue them, the council is of opinion that your Majesty ought, with your holy zeal, at once to interfere in this matter, in such manner that the inquisitors may understand that monarchs have not conferred upon them the privileges they enjoy for the purpose of extending them beyond matters relating to the faith; this is the subject and nature of their occupations and privileges, and beyond it they ought not to extend. The cause of the faith is not promoted by outraging the fathers and defenders thereof, nor are the people edified, or heretics confounded, by witnessing divisions and scandals in the church. And the Inquisition will only preserve itself in authority and respect as long as it is restrained within the bounds of modesty, and interferes in no other than matters of the faith, without diverting its jurisdiction to other affairs and cases in which, by acting with publicity and injury to third persons, it becomes subject to the censure of all, and runs the risk

of seeing its decrees revoked with stigma to itself.” *

The Inquisition of Seville, in the year 1637, gave occasion for the same council to lay another consultation before the king respecting its conduct. The high court of justice of the above city had entered into a dispute with the inquisitors respecting jurisdiction, in consequence of a disrespectful act committed towards some of its members by Don Alonso Tello, familiar of the Holy Office, when the assembly for this purpose held in Madrid, and at which according to custom two ministers of the council of Inquisition attended, after various sessions, declared that the cognizance of the affair in question belonged to the high court of justice. The same opinion was sustained by the king's attorney-general, Don Juan Perez de Lara, in a memoir under a judicial form, which he printed. When the time came for putting the resolution of the assembly into execution the inquisitors committed various disrespectful acts, and issued edicts ordering the above memoir to be called in, though it was no other than a defence of the royal jurisdiction.

* Report of the Council of 16th March, 1630, quoted by the said prectors. Ibid.

written by a magistrate in the fulfilment of his ministry. The council representing to Philip IV. the arbitrary nature of this proceeding, among other things, alleged the following : “ The lawyers and ministers of your Majesty who, with so much care and zeal exert themselves in your service and in defence of the royal jurisdiction, ought to be duly protected and upheld in the exercise of their duty, more particularly when they are engaged in the defence of your Majesty and your tribunals ; since, from persons who have been so carefully selected for these ministries, it is presumable that the opinions they give, in word and writing, are properly founded and within the limits of the law. Even if the irregularity of any act were clear and evident, the best measure would be to lay the case before your Majesty, that you may command the party to be punished as a warning, it being a public discredit, without this having previously been done, to order that a document should be called in, in which it is understood there is nothing that warrants such a step ; and even if there was, it would accord with the service of your Majesty for this to be scrutinized by ministers free from the suspicion of party, since the contrary

would be detrimental to your royal privileges, as well as that jurisdiction which all your tribunals administer in your royal name.

“ When the question arises,” proceeds the report, “ out of a paper or papers, it is then proper that the case be viewed and executed in this manner ; for, although orders may afterwards be issued for what has been prohibited to circulate, by this license the indelible stigma previously incurred is by no means counteracted. And if, in the compliance of their duty and the fulfilment of their obligations, the lawyers and ministers of your majesty are to be exposed to these risks and disrespect, it will intimidate and place them in such a situation that none will dare to act up to those obligations under which they stand ; whence evident injury must arise to the jurisdiction of the crown ; which, from being left defenceless, is in danger of being lost.” In consequence of this exposition of the Council of Castile, the king ordered that the Council of the Inquisition should have the allegations of the Attorney General, Perez de Lara, examined by impartial theologians and lawyers, and that thenceforward, whenever it should be attempted to censure or qualify books or papers written by his mini-

sters in defence of the royal jurisdiction, that this should be done by the opinions not only of theologians but also of jurists ; and that before the council of the Inquisition adopted a measure of this nature, it should consult his majesty.*

Among the bishops whom the Inquisition has cruelly persecuted, and who have been made victims of its despotism, the venerable Palafox holds a most distinguished place. It was not only his writings which, as already pointed out, experienced the fury of the inquisitors of Mexico, but his person and even his dignity also were exposed to their contumelies. Some of the abuses which required prompt and radical reform when this prelate entered on the administration of his diocese of La Puebla de los Angeles (in New Spain) arose out of the proceedings of the Jesuits, whose thirst for riches and ambition of power knew no bounds. They daily purchased new estates ; and as these, by privilege granted to the regular clergy, were exempt from tithes, Palafox notified to his flock the obligation of reserving them entire whenever they should execute similar transfers. They besides preached and administered confession

* Report of the Council of Castile, &c. n. 64.

without the licence of the diocesan bishop, contrary to the express enactments of the Council of Trent, and he suggested the propriety of these licences being solicited, offering to grant them immediately to the elder Fathers, without subjecting them to any examination. But the Jesuits, borne away by the universal reputation for wisdom which they had acquired, as well as the opulence in which they lived, strongly opposed these measures, naming the Dominicans as conservative judges of their privileges, and appealing to the aid of the Inquisition ; which, with infinite satisfaction, named them as arbitrators of its jurisdiction and of the terror by which it was accompanied. This formidable party soon conjured up so fierce a tempest against the bishop of La Puebla that, to secure his own life, he took refuge in the mountains ; where he remained four months secreted in a small cabin, from whence he wrote to the Pope, the King, and the Inquisitor General. His letter to the latter is dated Chiapa, August 10, 1647 ; in which he confines himself to the conduct of the inquisitors, and gives a minute detail of the outrage committed against him, and from it we make the following extract :

"I beseech your most illustrious Lordship, and in the name of the Almighty, to read this letter with that attention the matter and outrages require, for these are so weighty and prejudicial to these provinces, as well as to the souls under my charge, that I doubt much, from the time the Holy Office was introduced into the kingdoms of Spain, and even in those of the whole Christian world, whether any thing was ever done through its means more foreign to the purposes for which it was erected. By the fleet I have already written you that the archbishop (of Mexico) Don Juan de Mañosa, (ordinary inquisitor and visitor of the Inquisition) and the inquisitor his cousin, were the persons who brought forward against the ministers and prebendaries of this diocese that famous libel (the question related to tythes) which I have already forwarded to you ; they have also now resolved, in order to trouble me still more and trample upon my jurisdiction and dignity, to interfere in the dispute pending between the presumed conservators and my vicar-general respecting the members of the Company of Jesus manifesting their licences to hear confessions. This they have done by publishing edicts throughout all New Spain, in which, as you will have seen, they give

to understand that the excesses committed by the members of the said order ought to be imputed to my jurisdiction, as if the episcopal dignity were not superior to the other states of the Church; and as if the conversion of the faithful in all parts of the world were not due to this same dignity. They busy themselves in extolling and enhancing the services of the religious orders, and how much heretics abhor them, giving to understand that to contend with them is to resemble the latter. The inquisitors then proceed to prohibit and call in all that has been written in defence of my jurisdiction, when the same is composed of the allegations of bulls and apostolical decrees, of conciliar canons, declarations of cardinals, constitutions of the Jesuits themselves, and of the constant authority of all the doctors of the Church; thus depriving the cause of its proper defence: and it creates great scandal among the people to see a tribunal so holy treating the episcopal dignity in this manner, and representing it to the faithful so inferior in respect to the religious orders, which must cause those who are not properly informed to entertain a very low conception of so high a dignity."

"Among the matters which they commanded under the heaviest penalties are these

three: First, that no one should take down the edicts or ecclesiastical censures of the conservators; when my vicar-general, by edict, had ordered the same to be taken down in consequence of the illegal nomination of the conservators, and the scandalous tendency of their censures. And, as if the said censures of the conservators were articles of faith, the taking them down was made an affair cognizable by the Inquisition; when, conformably to right, any ordinary ecclesiastical judge may order null and invalid censures which have been imposed within his jurisdiction to be taken away, and more so when they are against his person. Secondly, they commanded that the conservators should not be ill-treated, neither their holy order of St. Dominick, the Jesuits, nor the other parties, as if they did not know how to defend themselves in such manner that full scope was given for the said religious orders to speak with the greatest liberty, and utter most injurious words against a consecrated prelate; but if a priest or secular defended him, they accused him of acting against the said religious institutions, whereas religion in itself is very different to an order of friars rashly usurping the jurisdiction of a bishop. Thirdly, the inquisitors perceiving the difficulty of

interfering in this affair, from its in no way belonging to them, inserted in the same edict another clause, enjoining, "that nobody should dare to doubt whether the Holy Office was possessed of jurisdiction in this matter;" by which means they place every one under the disagreeable necessity of never commenting or speaking on a subject not in itself dubious; since it is certain and unquestionable that the Holy Tribunal neither wishes nor can take cognizance of matters which do not belong to it."

The venerable bishop then proceeds to say that the inquisitors, on being informed that some persons of La Puebla censured the measures they and the conservators had taken in this affair, commissioned a clergyman to proceed to the above city in order to arrest the guilty; which commissioner, as soon as he arrived, accompanied by fourteen or sixteen familiars and without any previous message, directed his steps to the episcopal palace, where he entered with great rudeness; all which was done under an arrangement made with the inquisitors, and for the purpose of forcing the prelate to quarrel with him, and entangle him with the tribunal. Palafox, relating such an irregular mode of proceeding and again appealing to the Inquisitor General,

thus exclaims: "Consider, yourself, whether this is proper conduct on the part of Christian persons, and of a tribunal so holy, to treat bishops of the Church in this manner, even though I did not besides hold the office of counsellor of the Indies, as well as that of president and visitor-general of these kingdoms, having moreover governed them; and when at all times, in as many posts as I have filled, which have been the highest in these provinces, I have favoured the Inquisition by particular demonstrations." He then gives a minute detail of the outrages committed by the above commissioner against various residents of La Puebla, as well ecclesiastics as seculars, of which the following are most worthy of attention:

A priest of the name of Don Antonio Suárez, and a physician of the greatest repute, for having said that the Jesuits were in the wrong in this dispute, and that this was not an affair of the Inquisition; together with the curate of the parish of St. Joseph, one of the most illustrious of the city, and called Don Sebastian Paraza, because one of the conservators' edicts was wanting in his church; were all arrested by the commissioner's orders, their property sequestrated, and sent to Mexico to the prisons of the tribunal.

They were even brought out on the road at mid-day; the two first on mules with pack-saddles, and irons on both legs; the parish priest, through great intercession, on a saddle-mule, and for the recovery of his liberty it was necessary to obtain the mediation of the Jesuits in his favour; "who," says the bishop, "are they who avenge themselves, and threaten all they choose with the hand of the Inquisition."

Also an Indian, who, through the suggestions of another inhabitant of La Puebla of the name of Cárcamo, had torn down one of the edicts, without regarding that this class of people from their incapacity are not subject to the tribunal, was cited by the commissioner up to the convent of St. Augustin, where he lodged; and who, sending to the public prison for one of the instruments of torture as well as the executioner, forced him through fear to declare who had induced him to take down the edict. He then ordered him to be brought out of the principal door of the church, paraded through the streets, and afterwards inflicted upon him four hundred lashes; which punishment was executed upon him in presence of a party of the ministers of the Holy Office on horseback, with their insignias, diamond clasps, and other orna-

ments; and the stripes were inflicted in so rigorous a manner that the poor Indian was at the point of death. Cárcamo was treated in the same manner as the above, and three hundred dollars were besides exacted from him for the expenses of his journey to Mexico, when twenty were more than sufficient, and indeed they did the same with others.

The venerable prelate proceeds to describe what passed in the following words: "The town began to be alarmed on beholding these rigorous measures; and as it happened that some persons had spoken against the jurisdiction of the conservators,—others had doubted whether this was an affair belonging to the Inquisition,—some again were apprehensive for having taken down edicts, and others for having seen it done and kept secrecy,—the town was filled with confusion and scruples, the people accused each other, many hid themselves, and numerous secret informations were lodged respecting an affair which, in itself, had no more substance than what was derived from vengeance and prejudice. They dared to command my subjects not to obey me, to fix on my own door ecclesiastical censures against myself, and to commit other innumerable outrages, under the protection and cover of the tribunal; nay,

they even resolved to seize my person, in order to banish me, as they did with archbishop Guerrero in Manilla. Having learnt this their determination, and seeing that resistance on my part would be attended with great scandal and deaths, so indignant were the people against these resolutions; and finding also that, if I subjected my jurisdiction to their irregularities, the total ruin of my dignity would follow; yielding to such terrible violence, I resolved to retire to a secure place till the remedy arrived from the tribunals to whom the matter belongs. In this state, sir, is my church, in consequence of the conduct of these inquisitors; and I now appeal to you, as being well aware of the obligation we prelates are under to defend our jurisdiction, in order that you may provide a remedy to so many, and such grievous, injuries they have done to my church, to the clergy, to my own person, as well as to the virtuous priests and inhabitants of La Puebla; and you will be pleased to consider how much they and their families have been ill-treated and disgraced by such ignominious proceedings. I can assure you, with all truth, that it seems in this affair as if they had sought the punishment of the priests most renowned for virtue to be found in the whole of this diocese."

In the concluding part he then adds: "Finally, Sir, you will be pleased to judge what a serious thing it is to make an ecclesiastical dispute a matter of the faith, by those who govern this Holy Tribunal placing themselves on the side of those who resist the holy Council of Trent. What satisfaction can be made for the Inquisition writing against a bishop who, through the goodness of God, does not occupy himself in any thing else than what he considers best for the service of his Creator and the good of souls? And if, in defending the revenue of my church and the due administration of the sacraments, because this cannot be done but by clashing with the order of the Jesuits and the others, is the Inquisition to bring forward edicts against those engaged in disputes with these said religious orders, as if we were suspicious characters? Most assuredly to submit to this would be to abandon the episcopal dignity, and place the crozier and mitre in the hands of the religious orders for them to do what they please with us as well as with the souls God has committed to our charge. In what article of the faith have these gentlemen found that, because a prelate writes a pastoral letter to his flock to console them in times of such great

affliction, that the Inquisition is to go about calling it in ; and in the mean time that the lord archbishop, as if I did not also defend his own jurisdiction, should be publicly representing comedies in the archiepiscopal house, where his oratory served as a dressing room to extremely unclean women ; and inviting the religious orders to assist thereat, because these festive entertainments were given in consequence of these said orders having overcome the bishop of La Puebla and cast him from his see?"

" In what article of the faith have they found that two ministers of the Inquisition are authorized to write a most bloody libel against a bishop, priests, and gentlemen of all classes of the community, calling them heretics, hypocrites, sodomites, thieves, and stigmatizing them by other infamous appellations ; and after this, that the same tribunal should persecute all the persons injured, because they answer in their own defence, when its justice ought rather to turn against those who had committed such excesses ? Where have they therein found that the lord archbishop and visitor is allowed to intercept the letters and dispatches going to the ministers of his majesty under the public safeguard ?

and, not content with stopping them, should open them; and, not satisfied with this, should publish them; and after all should publish them under an adulterated form, in order to have a plea for the ruin of the unfortunate prebendary Don Antonio Peralta, who was innocently writing what passed in these provinces to a counsellor who beseeched him so to do? Finally, in what article of the faith have they found that, because a priest named Don Francisco de Aguilar, in answer to another person who said that since the Jesuits heard confessions it was because they were authorized so to do, replied that the Jesuits were not canonized saints and consequently susceptible of mistake, is to be cited to appear before the Inquisition, kept there several days, and then sent away admonished and disgraced, when it is at the same time evident that the said Jesuits are not canonized saints, nor can they be such as long as they do acts like these." * So far Señor Palafox.

* Carta del Ilmo. Exmo. y muy V. Señor D. Juan de Palafox y Mendoza al Señor Inquisidor General, *Mss.* the original of which is preserved in the college of St. Joachim belonging to the barefooted Carmelites, in the vicinity of Mexico.

The Author published it with notes at Cadiz in 1618, Ts.

In Europe we know nothing with regard to the persecution of the archbishop of Manila. All I have been able to ascertain is, that the house in which the above prelate lived, and belonging to a religious community of the same city, fell to ruins from no person wishing to rent it, in consequence of the people acquiring the habit of calling it the house of the excommunicated. The venerable prelate also observes, that the same tribunal deprived one of the counsellors as well as the attorney engaged in the cause of their offices; the first because he did justice according to the merits of the case, and the second because he undertook his defence. In speaking of the archbishop of Mexico, he further adds, that the government having commissioned him to perform a visit to Quito, they were afterwards under the necessity of withdrawing this charge from him, in consequence of the excesses he committed there under cover of the authority of the Inquisition. He throws out another important hint respecting the conduct of the inquisitors at the end of his letter, which I reserve for a more suitable place.

In the year 1686, in consequence of the bishop of Carthagen de Indias, D. Antonio de Benavide y la Piedrola, having subjected

to his jurisdiction the community of the nuns of St. Clare, before dependant on that of the Franciscans, the inquisitor D. Francisco Varela, having previously excommunicated him and published an interdict of cessation *a divinis*, had the rashness to arrest him. Clement XI. sensible of this outrage, issued and remitted, through the medium of the Nuncio, two briefs to the Inquisitor General, ordering him, in the first, to call over to Madrid the inquisitors and counsellors by whose accord the former had proceeded; and in the second, remonstrating and threatening him for his failure to comply with the first mandate. The Inquisitor General took no notice of either of these briefs, but rather practising the usual policy of the tribunal, viz. of recurring to the king when straitened by the pope, and to the latter when it sought to elude the orders of the king, implored the aid of Charles II. against the urgent pretensions of Rome. Clement XI. seeing his evasion, in an assembly of cardinals, by a bull dated March 19, 1706, declared the acts and proceedings of the bishop to be just and valid, and on the contrary, null and disorderly those of the inquisitor and other ministers of the Holy Office; moreover, stating that the

imprisonment, exile, and other punishments inflicted on the persons adhering to the prelate, ought not to injure their good name, and much less disable them from obtaining any kind of office or benefice; and that, accordingly, their fines should be returned to them and satisfaction given them for the damages they had incurred, adding, that it was his will that the tribunal should be suppressed in Carthagena.* The bishop was called over to court, but refusing to be preferred to another bishopric, he died in this city of Cadiz. An instance of insubordination equal and even greater than the above was witnessed about the same period in Portugal, where the inquisitors mocked the authority of Peter II, as well as of the pope.†

Complaints having greatly increased respecting the abuse of jurisdiction on the part of the tribunal, Charles II. ordered a junta to be assembled, composed of twelve ministers out of the six councils which then existed, besides that of the Inquisition; viz. the council of State, of Castile, Aragon,

* The Proctors Compománes and Moñino, *ibid.* n. 48.

† Dedução Analítica e Cronologica citada por D. José da Costa em su Narrativa da Perseguição.

Italy, Indies, and of the Military Orders, with a view to their furnishing him with the means of at once putting a stop to this evil. To the end that they might proceed with more perfect knowledge of the matter, the junta petitioned the king to order the counsellors to examine their respective archives, and give them a circumstantial detail of all the excesses of this kind previously committed, as well as copies of the agreements entered into with the tribunal. "On examination of these papers," say the above ministers in their minutes, dated May 21, 1696, "it appears that this confusion of jurisdictions is very ancient and universal in the dominions of your Majesty where there are tribunals of the Holy Office, in consequence of the incessant application with which the inquisitors have obstinately struggled to extend their own jurisdiction; and this in so irregular and disorderly a manner, in cases as well as persons, that scarcely have they left any exercise to the ordinary royal jurisdiction, nor authority to those who administer it. There is no kind of affair, however foreign to their institution and powers, of which, under the most trifling plea, they do not arrogate to themselves the cogni-

zance; no vassal, however independent he may be of their power, whom they do not treat as an immediate subject of their own, making him subservient to their mandates, censures, fines, imprisonment, and what is more, to the stigma of these their inflictions; there is no offence or slight inattention to their domestics, that they do not consider and punish as a crime of religion, without distinguishing the manner or rigour."

"They not only extend," proceeds the junta, "their privileges to their dependents and familiars, but they also defend them with equal rigour in their black and infidel slaves. They are not content with exempting the persons and properties of their officers from all charges and public contributions, however privileged these may be, but they even seek that their houses and dwellings should enjoy the immunity of shelter to guilty persons, and of not being searched by the civil magistrates, which should the latter pretend to do, they experience the same demonstrations as if they had violated a temple. In the form of their proceedings and the style of their dispatches, they use and affect means whereby to depress the estimation of the royal ordinary judges, and even the authority of the

superior magistrates; in short, not only in judicial and contentious matters, but also in points of political and economical government, they make an ostentatious show of this same independence, totally disregarding the sovereignty. The effects of this pernicious disorder have at length reached so dangerous a height, that they have already frequently called forth measures on the part of our monarchs, and roused the higher tribunals of the crown to their bounden duty of carefully discovering a remedy. Yet, notwithstanding these prudent measures have been repeated in every reign, they have not sufficed to secure the object in view, viz. to moderate the excesses of the inquisitors; on the contrary by their inobservance and disobedience they have very frequently given just occasion for severe reprehensions, fines, and orders to appear at court, as well as banishment from the kingdom, privation of temporalities, and other demonstrations corresponding to the cases in which such measures have been resorted to, and by no means conformable to the greater decorum of the tribunals of the Holy Office, a consideration which out of respect due to themselves ought to have restrained the ministers thereof."

The junta then concludes in these words :
“ The Inquisition owes to the august ancestors of your Majesty its erection and formation in these kingdoms, as well as under the crown of Aragon and of the Indies, and also its elevation to the rank and honour of a royal council, the creation of the dignity of Inquisitor General, together with all the special and superior prerogatives it enjoys, added to the grant of so many exemptions and privileges to its officers and familiars, the royal jurisdiction it exercises in them, and above all the most singular demonstration of royal confidence, by extending to it the suspension of the right of appeal to the civil magistrate. But the abuse with which all this has been treated, has produced grief in the vassals, disunion in the ministers, disgrace to the tribunals, and no small share of trouble to your Majesty, in the decision of such repeated and obstinate contentions.”
The junta here calls to mind the revocation of the above privilege by Charles V., and its new concession granted by Philip II., although confined to certain conditions or instructions, “ which have been,” the report says, “ very badly observed, because the extreme forbearance with which matters belong-

ing to the inquisitors have been treated, has encouraged them to convert this tolerance into an acknowledged right, in such manner as to make them so entirely forget what they have received from the pious liberality of our kings, that now they affirm and seek to sustain with most strange animosity, that the jurisdiction they exercise in every thing relating to the persons, property, rights, and dependencies of their ministers, officers, familiars and domestics, is both apostolical and ecclesiastical, and consequently independent of every secular power whatever, however supreme it may be."

The junta then proceeds to point out its own opinion, amounting to a belief that if the Inquisition was capable of any reform, this could only be done by assimilating, as much as possible, its system to that of the other tribunals; but whether it was that the members did not hit on the principal root of the evil, or that they were aware of the opposition a more extensive project would meet with in so pious a monarch as Charles II., certain it is, that they confined themselves to the display of four abuses and their proposed remedies. The first was that of ecclesiastical censures in matters not relating to the faith;

which induced many individuals, and even magistrates to condescend with the whims of the inquisitors, to the prejudice of their own rights and in default of justice. To this point the junta added, by way of analogy, the practice of the tribunal shutting up, not only in its secret prisons, but also in its deep dungeons, persons not precisely guilty of heresy but only of injuries done to its dependents, or of any other similar offence, notwithstanding in that case it merely proceeded on the ground of temporal jurisdiction. The second abuse was, the impossibility under which the prisoner laboured when aggrieved by the Inquisition, of complaining to any other tribunal, or even to the king, in consequence of all appeal being denied to him. The necessity of correcting this abuse in the judicial proceedings of the tribunal, the ministers confirm by quoting various causes called up by superior orders, and remitted to the Council of Castile, in consequence of our kings being unable to resist the clamours of so many whom the Inquisition had outraged.

The third abuse was the extension of privileges, including the active and passive immunity granted to all inmates and servants of the inquisitors, whether they were lackeys,

coachmen, or slaves; whose haughtiness and insolence rose to such a height, that if in the markets the best that was sold was not reserved for them, or any disagreeable expression used towards them, their masters instantly fulminated censures, and ordered arrests to be executed. The fourth abuse consisted in the continual and interminable competitions of the Inquisition with the other tribunals, excited by the inquisitors whenever they took an interest in any bad lawsuit; whereby the proofs were either rendered difficult or destroyed, the property secreted, or the recovery frustrated to the injury of the creditors, when the cause was civil; and the truth of the facts disfigured, or the flight of the delinquent promoted, when the suit was criminal. In confirmation of all the above, the junta brings forward certain cases which occurred in the course of the seventeenth century, but for the sake of brevity I will only state two which took place during the above reign, and amply demonstrate the necessity of at least remedying the abuse of censures and secret imprisonments in matters not concerning religion.

A negro, slave to a receiver of the Inquisition of Cordova, entered furtively and by

night into the house of a respectable resident of that city, in search of a female slave with whom he was connected. The mistress on hearing the noise came out, and meeting with the negro, received from him a stab in the breast of which she died. The husband came forward at the screams of his wife, as well as several other persons, who, seizing the aggressor, delivered him over to justice, and he was condemned to be hung. On his being placed in the chapel,* the inquisitors claimed him, and although the judge answered that this was an interference with his jurisdiction, nothing was sufficient to prevent them from interposing their ecclesiastical censures and other penalties, till the latter became quite alarmed, and delivered the criminal over to them. The royal council had several consultations with his Majesty respecting the case, insisting that the Inquisition ought to return the slave, and strongly urging the dangerous consequences that would follow so daring an act. The king gave orders

* In Spain it is customary for the criminal condemned for execution to be placed in a chapel during three days previous to the infliction of his sentence, where he remains in prayer with a guard over him, accompanied only by his confessor. TR.

to the Inquisitor General that this should be done, and the inquisitors punished in an exemplary manner ; but the chief of the tribunal resolving to uphold the irregularities of his subjects, addressed several remonstrances to the throne, for the purpose of gaining time. The council of Castile on its part also presented several others, and even the city of Cordova demanded satisfaction for so grievous and scandalous a proceeding. The king at length for the fourth time, commanded that his orders should be fulfilled, but the inquisitors seeing that no subterfuge was left, secretly set the negro at liberty, saying that he had escaped. The other circumstance relating to the inordinate practice of the Inquisition confining persons not guilty of heresy in its secret prisons, took place in Granada, where a woman who had had words with the wife of one of the secretaries of the tribunal, on seeing the bailiffs enter her house to carry her off a prisoner, filled with terror, cast herself out of the window, and broke both her legs.

The junta moreover observes, in proof of the perpetual tendency of the inquisitors to exceed the limits of justice, that as early as

the year 1311, the Fathers of the council of Vienna, as appears from the Clementine decretals, cried out against them, declaring that they converted the authority confided to them for the increase of the faith, to the discredit of the same; and that under the pretext of piety, they trampled upon many innocent persons, and ill-treated others, under a plea that they impeded the exercise of their jurisdiction. After mature examination of all the premises, the ministers conclude by thus addressing the king. "Sire, this junta is fully sensible, that to the irregularities committed by the tribunals of the Holy Office other more rigorous measures would accord. Your Majesty has before you the reports, which for a considerable lapse of time have been brought up, and do not cease to arrive, relating to the unprecedented acts attempted and executed by the inquisitors in all the dominions of your Majesty, and the painful agitation under which they keep the royal ministers. What inconveniences might not have been produced by the cases of Carthagen de Indias, Mexico, and La Puebla, as well as the more recent ones of Barcelona and Zaragoza, if the most vigilant

attention of your Majesty had not devised timely measures? And even still the inquisitors do not desist, because they are already so much accustomed to enjoy toleration, that obedience by them is entirely forgotten." So far the junta. The Count de Frigiliana, counsellor of Castile, in all agreed with the opinion of his colleagues, and besides requested, in consequence of the tribunal of Valencia having refused to render in to him an account of the property belonging to the Exchequer, when he was there in the quality of viceroy, that his Majesty would be pleased to give orders that it should be ascertained, whether or not the Inquisition was privileged not to account for such property.* Another fact of a similar nature is also mentioned by Solórzano, relating to the tribunal of Lima.†

Although it is true that the occurrences of which I have just spoken, by their gravity were sufficient to inspire Charles II. with the project of efficaciously restraining the

* This report is brought forward by the proctors of the councils of Castile and the Indies, Don Melchor Macanaz and Don Martin de Miraval, and inserted in another report of November 3, 1714, part. i. art. i.

† Solórzano, *Política Indiana*, lib. iv. cap. xxiv. n. 8.

inquisitors, nevertheless the debility and ineptitude of this monarch prevented him from carrying forward the work he had commenced. The inquisitors were soon made acquainted with the contents of the report of the junta, and foreseeing the diminution their authority would experience if the reform was carried into effect, they availed themselves of the favourable opportunity of having among the members of the council of the Supreme, Father Pedro Matilla, confessor to the king, whom they prevailed upon to mediate with his Majesty in order to suspend all proceedings ; pledging their word to spare him all cause of future displeasure.

They indeed conducted themselves better during the lifetime of Charles II., but as soon as he died, which was in 1700, and in the very act of proclaiming his successor Philip V., they gave a fresh proof of their vices being incorrigible. It happened that the municipality of Córdoba having made arrangements to celebrate this ceremony in the Alcazar or Moorish castle, where the tribunal resided, and the people being already assembled in the cathedral church to assist at the benediction of the royal standard, advices were received, that one of the inquisitors,

during the sickness of his other companions, had given orders for a canopy to be erected for him. The bishop and cardinal, Father Pedro de Salazar, unable to brook so public and shameful a contempt of his authority, ordered another canopy to be also erected for himself. The mayor as well as the municipality were equally opposed to such an encroachment, and besought both the bishop and the inquisitor in the most courteous manner to give orders for the removal of the canopies, and to assist at the ceremony in the usual manner. The first instantly yielded, but the second did not, whereby it became necessary to transfer the theatre of the proclamation from the castle to the main square. As a punishment for this rashness, and from a sense of the danger to which public tranquillity had been exposed at a time when this was more than ever necessary, the governmental junta of the monarchy banished the inquisitor from the realm.*

The same Inquisition of Córdoba in the year 1712 excommunicated the mayor and aldermen of the above city for having excluded from the municipality Don Diego

* The said proctors Macanaz and Miraval, in the aforesaid report, part i. art. ii.

Perez de Guzman, lieutenant of the high bailiff of the tribunal; who, contrary to the royal ordinance, never assisted unless when some emolument was to be had. In punishment of this rash act the king, on a consultation held with the Council of Castile, ordered that the oldest inquisitor should appear at court, and that the council should call up Perez de Guzman, in order that both might receive a strong reprehension.*

About the same time the tribunal of the Canaries, seeking to compel the chapter, in consequence of the canonry the Inquisition enjoys in all cathedral and collegiate churches, to render in an account of the revenue of the church as well as its disbursement, proceeded to fulminate censures against it. The Council of Castile on the 23d of August, 1713, consulted the king on this violent mode of proceeding, and his Majesty ordered the inquisitors and proctor to appear in Madrid, and the affair ended in their being deprived of their employments. He likewise reproved the Inquisitor General, because, in addition to his having manifested a want of submission to the royal decrees by a thousand studied delays, he had threatened the commissioner

* The said proctors, Macanaz and Miraval, &c.

of the chapter for no other reason than his having printed the memorial in which he had laid before the king the conduct of the tribunal of the Canaries.*

In the following year of 1714, owing to a consultation held by the Council of the Indies, respecting the inquisitors of Lima taking away the administration of certain fixed property in arrears to the royal treasury, from the person charged therewith by the board of accounts, on a plea that the owner of the same was likewise indebted to the Inquisition, the king ordered Don Melchor de Macanaz, proctor of the Council of Castile, together with Don Martin de Miraval, proctor of that of the Indies, to draw up a comprehensive exposition of all the points on which the tribunal ought to be reformed; which they did, and laid it before the king on the 3d of November in the same year. In it they quote the substance of various consultations held on the same subject in the course of that reign as well as in the preceding one, such as that lately referred to, drawn up by twelve ministers chosen from all the councils; two others instituted by the Council of Castile; and another by that of the Inquisition, in conse-

* The said proctors, Macanaz, &c.

quence of the disputes which took place between the latter and the Inquisitor General Mendoza respecting the persecution of Father Froilan Diaz. They also allude to the prohibition of the report of proctor Macanaz on the subject of royal prerogatives enacted by Cardinal de Jádice, and propose the reform of the tribunal on fifteen points, of which the following are the most material:

First, that the culprits should be allowed a regular appeal, not only in causes relating to temporal matters, as proposed by the ministers named by Charles II., but also in those connected with crimes against the faith. The proctors observe, in explaining the motives of this part of their opinion, that "although the ministers of the aforesaid celebrated Junta excluded the latter causes (of the faith) altogether, the proctors of your Majesty would be happy to follow them in this, and they would do it if they were not sensible that the ministers of the Inquisition were men liable to err; if they did not notice that the things which are not of the faith are by them treated in a different manner to those which are; if these ministers were more learned, experienced, and cautious, than those whom your Majesty employs in your royal tribunals; if

the sad experience of more than 160 years had not proved that generally there is more prejudice and vanity than charity and knowledge in not a few of its ministers ; in short, if these appeals in matters of the faith in the king's tribunals were new and never before practised ; but they consider this recourse is of such a nature that, if it were entirely taken away, it would be totally to deprive the vassals of your Majesty of their natural rights, and your Majesty of the most precious stone that adorns your crown."

The second point was, that a scale of appeals should be established, which the said proctors uphold on the grounds of the difficulty of judging aright, as well as the greater moment attached to the causes of the Inquisition compared with those of other tribunals. The third, that on no pretext whatever the two counsellors of Castile named for this purpose should fail to assist at the Council of the Supreme, and that the latter should not omit calling them ; and that besides one of his Majesty's secretaries should assist, in order to render in to him an account of all therein transacted ; and that, moreover, in the provincial tribunals two members of the high courts of justice, or chanceries,

should attend for the same purposes. Fourth, that the offices should be given away by the king, and not by the Inquisitor General. On this subject the proctors say, "The Inquisitors General with absolute authority have placed in these offices whatever persons they have thought fit, and not unfrequently without any other merit than favour; when as these people consider themselves the work of the Inquisitor General, and from him alone expect their promotions, in order to ingratiate themselves with him, they do not care whether justice goes on well or ill administered, or if the royal prerogatives and jurisdiction, as well as the vassals of your Majesty, are trampled upon; whereas it is certain that, if they were to see that their promotions depended on your Majesty, they would live under greater vigilance, and avoid a multitude of scandals they now occasion."

Fifth, that the Inquisition should not be allowed to prohibit any book without the king's permission; and that an examination should be made for the purpose of restoring such propositions relating to royal prerogatives as had been commanded to be erased from the works of Bobadilla and other authors; and that, on the contrary, those

writings should be called in which, in detriment to the civil authorities, attribute to the tribunal and the see of Rome rights which by no means belong to them. In the introduction to this report Macanaz brings forward a piece of information which I consider deserving of the greatest attention. In it he thus expresses himself to the king: "By virtue of the orders your Majesty was pleased to give me, I have caused the archives of this court and of Simancas to be examined, and, not confiding this trust altogether to others, I have myself frequently visited them. And having, to my great regret, found many ancient as well as modern reports conducive to the object in view,—to the end that they may not be mislaid, as happens with innumerable others of the greatest importance, and of which nothing now remains but the bitter regret of their being marked down in the register books, without its having been possible to discover what had become of them, or to obtain any other information respecting them, except that the pope's nuncios, on the one hand, and ministers of the Inquisition, on the other, had carried them away,—it has appeared to us proper to include them in the present report, leaving the originals in the

archives of the council, to the end that hereafter, if the copies are mislaid, the latter may be preserved, and such precious monuments not be totally lost."

From this testimony it appears that the tribunal of the Inquisition, and with it the envoys of Rome, at all times on the alert how to consolidate ecclesiastical despotism, not only gagged the mouths of the people by prohibiting all writings and conversation that might unveil their usurpations, but also did, or at least attempted to, secure all the avenues that might lead to the discovery of their deceit; to the end that the children, being unable by any means to reach the disclosure of the truth, might fall into the same delusion as their fathers, and the error be thus perpetuated.*

* The aforesaid Report of the Proctors of Castile and the Indies, relating to matters of the Inquisition, art. i. ii. iii. From this MS., or a copy of it, the author of the French work, entitled "*Essai sur l'Espagne*," being the details of a journey there in 1777 and 1778, obtained all the information he brings forward respecting the report of the year 1696, in speaking of the Inquisition. The MS. is divided into two parts. The first contains the most remarkable cases of controversies which have occurred on the part of the tribunal, and includes various reports, among which is the one already quoted of the year 1714.

In the preceding chapter we took occasion to notice that Pope Benedict XIV., at the request of the Augustine order, transmitted an injunction to the Spanish Inquisition, ordering that the works of Cardinal de Norris should be expunged from the index of prohibited books for the year 1747, which, for the purpose of temporizing with the Jesuits, it had therein included; conveying to it at the same time a severe reprehension. In the year 1761 the Council of Castile also consulted Charles III. respecting the publication of the Catechism of Mesangui, in the perusal of which this monarch took great delight. On entering into the examination of the authority of government over books, the members observe that Philip II., notwithstanding

The second is a treatise on royal privileges, in which mention is made of the ambitious attempts of the court of Rome. The title therefore of the work of Macanaz must have been the following: "Defence of the Royal Prerogatives against the Attacks of the Inquisition and of the Court of Rome." The works of this writer opened the way to such men as Campomanes and Jovellanos; and it cannot be denied, that to him, in a great measure, is owing the learning we now enjoy among us; although at the same time it must be confessed that his style and method, as well as some of his opinions, unavoidably savour of the backwardness of the 17th century, at the latter part of which he was born.

the veneration he professed for the Council of Trent, did not admit its index of prohibited books into the Low Countries, excepting as far as related to the writings of heresiarchs; and on similar grounds, when the same was published in Spain in the year 1570, he left out many works which he declared might be read. It further adds that the same took place with the index of prohibited books for 1601, from which Philip III. erased various works, and consented to their being read. The council then takes a glance at past times; and, by means of examples, proves the arbitrary conduct of the tribunal, laying considerable stress on the extravagant report which, in the year 1642, the Council of the Supreme presented in answer to a consultation of the Council of Castile promoted by the king's orders, and relating to a question of competition which had arisen between the Inquisition and criminal court of Valladolid. In this document the Inquisition pretended to have discovered three ill-sounding propositions, viz. its being asserted that its jurisdiction in civil causes was purely royal; that it was precarious; and that the inquisitors could not defend it by means of censures.

At sight of this the council exclaims, "Such

boldness is astonishing, and by no means conformable to right; it is even impossible not to discover the benignity of Philip IV. in thus allowing his sovereignty to be divested of the origin, nature, and quality of royal jurisdiction, which, without abdicating it, he had conferred on the tribunal of the Holy Office; and that the ardour of the inquisitors should extend so far as to expose the propositions of the Supreme Senate of Justice to the examination of qualificators on an occasion when, in fulfilment of the confidence it had merited from his piety, it represented to him with Christian zeal what was considered most conducive to the service of God and of his Majesty. If, under such circumstances, so high a court is not exempt from the vexation of having its propositions criticised as being little conformable to reason and religion, with what confidence can an individual author exercise his talents in defence of the sovereign's rights?"

In speaking of the decisions which the Inquisition has been in the habit of giving respecting works, the same report observes, "The censure of books depends on the intelligence and opinion of the qualificators; and, as these in general are religious persons,

by which is meant devout and disregardful of worldly objects, from their profession they adhere to the Gospel rule of that being given to God which belongs to God; but they are not so careful with regard to the second part, of that being given to Cæsar which is Cæsar's."

Thus did these ministers exert themselves in delineating the unjust prohibitions of the tribunal, more to give vent to the feelings of their own hearts and persuade the king of the necessity of a reform, than to comply with the commission he had given them, simply intended to have their report respecting the outrage committed by the Inquisitor General and archbishop of Pharsalia, Don Manuel Quintano Bonifaz, and his council, in publishing the Roman brief which prohibited the aforesaid catechism, without permission from his Majesty. The consequences of this affair were, that the said inquisitor was banished twelve leagues from court and the royal residences, although he was afterwards restored to the king's favour and re-instated in his office, in consequence of having consented to ask pardon. Don Juan Curiel and Don Pedro Samaniego, counsellors of Castile, were also deprived of the places they held in

the Council of the Supreme, and other persons were named in lieu of them.*

In the same year, 1714, Cardinal Júdice, Inquisitor General, and acting as extraordinary ambassador at Paris, issued an edict, which our Council of the Supreme afterwards published, whereby he prohibited the works which William and John Barclay, father and son, as well as Mr. Talon, advocate of the Paris parliament, had written in defence of the royal prerogatives; and, together with them, what had also been penned by Macanaz for the same purpose. Louis XIV., being informed of this circumstance, sent a message to the cardinal, telling him not to appear again at his court; and at the same time demanding satisfaction of his grandson, Philip V., for the offence committed. Our monarch on his part, and before he had received the complaint from France, after hearing the opinion of various divines, commanded the above council to suspend the publication of

* Report of the Council of Castile, in October 1761, (the day is not expressed) respecting the Edict of the Inquisition which prohibits, in the Italian language, the Catechism entitled *Exposicion de la Doctrina o Instrucion sobre las Principales Verdades de la Religion*. This is a MS. paper.

the edict in those towns in which this had not already been done, and report the grounds on which it had been issued. The council answered, that the edict was framed by its superior, and by his orders the same had been published. His Majesty then sent an express to Paris, ordering Cardinal Júdice immediately to return to Spain; and sending off at the same time another express to meet him at Bayonne, with orders that he should revoke the edict before he entered the kingdom, or resign his office and return to Italy, or wherever else he might please. The cardinal chose the second alternative; excusing himself at the same time, in a letter written to one of the king's secretaries, alleging that all had been done by the Council of the Supreme without his having the least knowledge of the affair. His Majesty read the letter and gave it to many persons for perusal, and, when coming to the passage which asserted that all was the doing of the council, he repeatedly said, the cardinal is wanting to the truth. He consequently named a new Inquisitor General; but his minister of state and great adviser, Cardinal Alberoni, soon afterwards to the astonishment of the two courts of Madrid and Paris allowed Júdice to be re-

instated in his office, thus wresting from the king an order in terms equally as shameful as those to which we took occasion to advert when speaking of the persecution of Macanaz.*

The writer, who wishes to follow up the steps of the Inquisition in its violent and despotic conduct, will often be under the necessity of ranging the most puerile anecdotes by the side of the most serious and important occurrences, since its pride has impelled it to neglect no opportunity of meddling in the affairs of others. In the year 1733 the tribunal of the Canaries, in a dispute whether the servant of one of the chief judges of the High Court of Justice ought or ought not to wait till the butcher had served one of the inquistors' servants, fulminated forth its excommunications against the said judge; thus obliging the court of which he was a member to step forward in his defence by recurring to the king. His Majesty sent for the Inquisitor General, enjoining him to see that his dependents did not disturb the public

* Macanaz, *Dissertacion Histórica que sirve de Explicacion á algunos Lugares Oscuros de las Cartas, Alegaciones y Apología que ha dado a luz el Cardenal Alberoni*. This document is inserted in the *Semanario Erudito*, vol. xiii.

peace; and Cardinal de Molina, president of the council, issued an order commanding the inquisitor who presided over the Canaries' tribunal, D. Pedro Ramirez Villalon, to appear at court. The latter did not obey, in consequence of the order not going through the ordinary channel; but this pretext only served to delay for awhile his removal from his office.*

The above-mentioned archbishop of Pharsalia, unable to brook the restrictions placed on his authority to the advantage of public knowledge and justice, by the royal decree issued in 1768 respecting the prohibition of books, and also desirous of promoting its reform, gave occasion for the assembling of an extraordinary council, attended by twelve ministers, among whom were five prelates; viz. the archbishops of Burgos and Zaragoza, and the bishops of Orihuela, Albarracin, and Tarazona; and presided by the Count de Aranda and the king's proctors, Counts de Campománes and Floridablanca. In this consultation the ministers clearly point out the want of fidelity with which the Inquisitor General, quoting the bull of Benedict XIV.,

* D. José de Viera y Clavijo, *Noticias para la Historia General de las Islas Canarias*, lib. xv. § xliii.

"*Sollicita et provida*," &c., in that part which speaks of the hearing to be given to writers, suppresses important words, to the end that the rights of the latter may appear less certain, and the will of the pope, that they may be heard, less efficacious.* They afterwards re-produce various complaints unceasingly preferred against the Inquisition, among which some of those already quoted are to be found. According to its context, this consultation is also accompanied by two documents; which are, the first remonstrance of Palafox to the Inquisitor General, to which reference is made in the second document, already extracted by me, together with a letter to the same Palafox, written by the proctor

* We here copy the words of the bull, adverting that those which are not marked with Italics are the words omitted by the Inquisitor General. "*Quod sæpe alias summa æquitatis et prudentiæ ratione ab eadem Congregatione (Sancti Officii) factum fuisse constat, hoc etiam in posterum ab ea servari magnopere optamus, ut quando res sit de auctore Catholico aliqua nominis, et meritorum fama illustri, ejusque opus, demptis demendis, in publicum prodire posse dignoscatur, vel auctorem ipsum suam causam tueri volentem audiat, vel unum ex consultoribus designet, qui ex officio operis patrocinium, defensionemque suscipiat.*" Also instead of the particle *et*, uniting the two words *æquitatis* and *prudentia*, he translated as if the disjunctive *vel* had there occurred in the text, which considerably debilitates its strength.

of the tribunal of Mexico, Don Antonio Gaviola, who from Tepotzotlan, where for having defended the bishop's innocence he was then confined, exhorts the bishop courageously to continue the enterprise he had begun, nor to cease till "the affairs of the Inquisition," (these are his own words,) "attain the remedy they require, so that the institution may be kept for that for which it was founded, and its iniquitous ministers no longer avail themselves of it for the purposes of revenge, as has been seen by the people in so scandalous a manner in the present circumstances, as well as by him the said proctor in other most weighty matters."

One of the reasons alleged by the Inquisitor General for the modification of the above royal order was, that the subjection of his council to that of Castile, by rendering its permit necessary to all edicts, might give to understand that his Majesty had not the greatest confidence in the Holy Office. The ministers answer this objection by these words: "The Inquisitor General ought to lay aside his apprehensions of any discredit arising to the ministers of the Inquisition from the circumstance of the previous permit, and fix his attention and known judg-

ment on other points, in order to destroy any hold on the part of the ill-intentioned with regard to the transactions of the Holy Office. The king's proctors, in the various documents they have collected in the archives of the council, as well as in other quarters, have observed the folly of the Inquisition's competitions and strenuous disputes with bishops and chapters, high courts of justice and chanceries, mayors, intendants, municipalities, and all kinds of persons and tribunals of justice and finance, relating to matters of the most foreign nature. They have repeatedly seen royal decrees and reports of the council, of juntas possessed of high authority, and of weighty persons, respecting the regulation of these points and the restraining of so many differences. In these more important matters the most reverend Archbishop and Inquisitor may justly employ his zeal by promoting with his Majesty every thing that may conduce to the desired end of fixing limits and establishing rules which may do away with discussions, leave time to the Holy Office to devote itself to the objects of its institution, and preserve it from a great deal of perplexity and trouble. Au-

thorities, when temperate and acting by rule, are permanent and beloved."

The report concludes in this manner :
" Notwithstanding your Majesty's proctors are sensible of the above, they nevertheless abstain from proposing any thing relating to other matters than the one immediately addressed to the extraordinary council ; but if your Majesty should think proper for any thing more to be taken into consideration, they will not fail to contribute by their labours to what may best promote the service of your Majesty, and accord with the public good and the decorum of the Holy Office." The same men, speaking of the excesses committed by the tribunal of Carthagena de Indias against the bishop of that place, further observe, that they had derived their information on that subject from the register of the pope's bulls ; for, although it is true that two briefs of his Holiness were transmitted for consideration to the council, together with royal orders on the 9th of November, 1687, and the 9th of March, 1688, neither the consultation relating thereto, nor the issue of the causes, was to be found in the archives. It is presumable that these very documents were

among the number of those which Macanaz affirms had disappeared through the management of the inquisitors.*

In 1772 the cathedral chapter of Toledo in its own name, as well as in that of the other ecclesiastical chapters of the kingdom, laid a remonstrance before Charles III. through the medium of the secretary of grace and justice, Don Manuel Roda, exhibiting the great detriment arising to churches from the excessive number of prebends depending on the Inquisition, and exempt from personal service by virtue of a privilege granted to the tribunal. In it, among other things, the chapter says as follows: "By the exemption enjoyed by persons belonging to the Holy Office, the churches are deprived of their assistance, the other ministers are overburdened, the prelates are divested of this aid, and the regular order established in each church is overturned; in addition to which it also happens that a canonry is left annexed to the same Holy Office which ought to fall to the rest, according to the principle of their foundation.

* Report laid before his Majesty on the 30th of Nov. 1768, by the lords of the extraordinary council and prelates holding vote therein. MS. already quoted.

These just reflections have been the cause that, from the time its ministers obtained the first grant to earn the fruits of their prebends and residentiary benefices during their absence, the holy churches have not ceased to address their humble remonstrances for the same to be annulled or moderated, without having been able to obtain any thing more than trifling limitations; the council of the Inquisition declaring in the year 1709, that in the metropolitan, cathedral, and collegiate churches, the ministers were to be considered as present during the whole of the time they were busied in matters belonging to the Holy Office."* Extremely serious were the complaints which the chapter of Toledo thus affirms to have been lodged against this privilege, and against the manner in which it was abused. Among others is one presented by the bishop of Charcas, Don Gaspar de Villaroel, in the 16th century.† Hence also undoubtedly arose the custom prevalent in most churches of obliging all those who

* Carta del cabildo de la catedral de Toledo al de Córdoba, incluyendo copia de una representacion a S. M. sobre la exención de residencia de los ministros de la Inquisicion. MS.

† Vide his work, Gobierno Eclesiástico,

obtain official canonries to swear, on taking possession, that they will accept no office under the tribunal.

Finally, in 1797, the Inquisition of Granada scandalously trampled on the authority of the archbishop ; and in order to do this with more freedom and effect, its members availed themselves of an opportunity when he was absent on a visit to his diocese. The Council of the Supreme had issued an edict in the year 1781, ordering that in the convents of nuns all confessionals should be taken away which were not within the compass of the church. This measure, as it exceeded the faculties of the tribunal, was one of its attacks on the episcopal dignity ; nevertheless the bishops were silent , either from motives of indolence or fear, and the order was complied with in nearly all the dioceses of the kingdom. The monastery of St. Paula of Granada, subject to the immediate jurisdiction of the archbishop, omitted to comply with the order, and notwithstanding sixteen years had elapsed since the edict had been promulgated, the inquisitors, without giving any notice of the step they were about to take, and as in common politeness they were bound to do, sent bricklayers who, entering

into the cloister, walled up a confessional comprehended in the above order. The bishop's coadjutor, Don Francisco Pérez de Quiñones, and dean of the metropolitan church, had recourse to the king through the medium of the secretary of state, an office at that time filled by Don Gaspar Melchor de Jovellanos, stating the insult done to the jurisdiction of which he was the administrator, and at the same time pointing out the maxims adopted by the Inquisition, not only against the authority of the diocesan bishops, but also against that of the monarchs themselves; and his Majesty having ordered that report should be made on the contents of the representation, by Don Antonio Távira, then bishop of Osma and afterwards of Salamanca, and a prelate well-known for his piety and learning, among other things he states the following:

“ I have reflected on the case before me; and find that, if we were to decide on the custom and habit in which the tribunal actually stands of doing by its own authority these and similar acts, nay even others of much greater moment, without the consent or previous knowledge of the diocesan bishops, it might appear that the Inquisition

of Granada had not exceeded its bounds in shutting up the confessional in question. Scarcely can a diocese be found in which no examples of similar acts are to be met with, and perhaps there is not one of previous information having been given to the bishop or his vicar-general; and the objection and appeal of the dean of Granada might moreover appear strange, when all the prelates are silent and endure these proceedings. But rather I am astonished at this silence and toleration in persons who cannot be easily excused, and consider that the enlightened zeal of the dean, as well as his firmness, is deserving of the highest praise." Bishop Tavira then proceeds to explain the origin of the privilege granted to the Inquisition of taking cognizance of the crime of solicitation during the sacrament of penance, and the terms under which it was granted, and uses the following words: "It would be a manifest outrage on the part of the inquisitors to intrude themselves into a judgment respecting the qualifications and fitness of confessors, and is it not so to fix the situation and place of confessionals? If the tribunal found, from the proceedings of any cause instituted before it, that room had been given for wicked prac-

tices, it ought to forward a formal letter to the diocesan bishop, that he might take the proper precautions, and then it would be said that a just correspondence was kept up between the two jurisdictions.

“Most grievous evils,” he adds, “have always existed in the church; yet how little was seen of this crime in ancient times? We may infer its recency from that of the measures adopted for its punishment: it is little more than two hundred years since the first bull was issued, and others from that time have been repeated. It has been punished with rigour, yet it has always been on the increase, and at the present day it is what most occupies the tribunals. I am well aware that from the above period, a certain principle of spirituality began to introduce itself, before unknown, and from it first came inspirations and afterwards Molinism, which, under various forms, is always springing out again, and is promulgated through the medium of spiritual direction, covered by the mysterious veil of the sacrament of penance. I am also sensible that from the same period disorders were introduced in consequence of long and endless confessions, which are nevertheless repeated almost daily, more especially in the

convents of nuns, practices unheard of in former ages and productive of many evils, respecting which prelates ought to be on the alert, by prohibiting this great frequency of confession, and giving the proper instructions for its administration. All this may have had an influence on the extension and frequency of the evil, but perhaps, also some influence has been derived from the tribunal having arrogated to itself the cognizance of these causes, which for a variety of reasons I am induced to believe."

He then proceeds to explain these reasons, amounting to this, that as the Inquisition, according to its own laws, could not proceed on the sole information of one person, the confessor escaped with impunity who either did not repeat his solicitation or only repeated it with the same female penitent; whilst the diocesan bishop, by only one notification and the antecedents he might have of the conduct of the soliciting clergyman together with the changes noticed in him, might reprehend him with charity and sweetness, and if circumstances required it, with severity. Besides, as the mere proceedings of the tribunal conveyed a stigma of character, many of the

solicited females felt a repugnance to lodge information, and even to give their new confessor permission so to do; which is not to be wondered at, if we reflect that it is necessary to receive a judicial declaration from the person denouncing. And how would it be possible for such a female, whether married or single, secular or under religious orders, to prevent this from coming to the knowledge of the persons with whom she lived, or on whom she depended? How many suspicions would not also arise respecting her own conduct? and how fatal would not be the consequences of these suspicions to families? Even when the above-mentioned objections could be guarded against, would not the natural timidity and weakness of the fair sex present insurmountable difficulties to a public complaint? Would not shame alone be sufficient to restrain a woman and even drive her to despair, rather than permit her to take any such measures? The same prelate affirms that he had proof of similar cases not being unfrequent, which would be avoided if the solicited females were to understand that the bishops had many means of correcting this disorder in a manner consistent with

female delicacy, and by proceeding against the delinquents paternally and without judicial publicity.

Afterwards descanting on the great decline of the episcopal jurisdiction, in consequence of the establishment of the Inquisition, he uses the following words: "These tribunals have reduced the co-operation of the diocesan bishop to a mere formality, by not calling him in till the cause is on the point of being sentenced; by not giving any knowledge thereof to the person who attends in his place till the moment of voting; by receiving him with a want of decorum, which even happens so to the bishop when he assists in person, for which reason all of them justly excuse themselves. The bishops are thereby deprived of the means of passing their censure or approbation on doctrines, and this power which they received from divine institution has thus passed over to these new judges, who cannot be competent, because legal information is not sufficient, and it has chiefly been this kind of knowledge that has sufficed to obtain the above offices. Whence as far as regards the principal object of their institution, which is to discern what belongs

to the faith, it may be said they are no other than lay judges, since they are unable to object to the opinion of the qualificators, and these are most generally, as is well known, persons of little knowledge and filled with prejudices and error, who have had sufficient money to procure proofs of what least imported them in the charge they were about to fill. It even appears that the Holy Office aimed its weapons at the prelates, in order that they might retire through intimidation and leave the field open to it."

Bishop Tavira here alludes to the persecutions some of them had experienced; and in relating that of Carranza he thus expresses himself: "This circumstance alone is sufficient to give to his Majesty a correct idea of the predominance, and I will dare to say, cunning, with which the Inquisition has sought to blight the character of those bishops who, from that time, beheld in this unfortunate personage and his illustrious companions what they themselves had to fear, when neither his high dignity, his great merits, nor his innocence, sufficed to preserve him from becoming the victim of a cabal, to the shame and dishonour of the whole bishopric, to the

scandal of the universal church, and not without discredit and even a stigma of infamy to the Spanish nation."

Finally, after agreeing with the dean of Granada that this tribunal has not unfrequently blemished the supremacy of kings, he upholds his remonstrance by reminding his Majesty of another, which he himself addressed against the tribunal of the Canaries, when he obtained the latter see, for having pretended that his vicar-general ought to undergo an examination; and he insists on the necessity of a reform in the Inquisition, either by regulating its judicial mode of process according to that of the other tribunals, and consequently allowing the practice of appeals, by abolishing the inhuman proof of the torture, or, finally, by transferring the prohibition of books into other hands.* In conformity to these ideas of the most illustrious bishop of Osma, minister Jovellanos gave him a commission to draw up a plan for the tribunal consistent with justice, which

* Report drawn up in conformity to the orders of his Majesty, by the most illustrious Don Antonio Távora y Almazán, bishop of Osma, respecting the proceedings of the tribunal of the Inquisition of Granada. This document was lately printed in Seville.

he actually did, but how was it possible to suppose that a measure in which our freedom and happiness were so much interested, could be carried into effect under the vizirship of a Godoy? Not even the petition of the dean of Granada was attended to in the manner that was expected.*

* So congenial to the Inquisition has it at all times been to act from mere caprice, that even after the new order of things was established, and whilst the tribunal was suspended, or at least whilst its authority was dubious and under apprehensions of total destruction, its members have not known how to conduct themselves in a proper manner, as is proved by the two following cases, which, if in gravity they cannot be compared with most of those already related, are nevertheless deserving of notice under the circumstances in question. Don Estevan Manuel de Elosua, commissary of the Inquisition of Carthagera de Indias, and residing in the Havannah, in 1810 addressed an official letter to Don Francisco de Arango, honorary counsellor of the Indies, in which he tells him that "as women's dresses, as well as all kinds of cloathing bearing sacred insignias upon them, were forbidden by the diocesan bishop, and an obligation imposed of delivering the same up to the Holy Office, it would be necessary to take off the lace or fringe with which his servants' liveries were garnished, in consequence of its having crosses embroidered upon it." The party concerned endeavoured to obtain from the bishop the real meaning of the edict to which the commissary referred, and after several letters had passed between them, he at length recurred to Carthagera and stated the particulars of the case. The tri-

I will close the preceding series of remonstrances addressed to superior authorities

bunal, uniform in its system of fiction and deceit, for the purposes of flattery answered him in the most satisfactory terms, by disapproving the conduct of the commissary, which Arango considered as a direct permission to use his livery, and consequently returned the corresponding thanks. However, he was soon afterwards informed by his brother, an honorary inquisitor, though under the greatest secrecy, that a measure diametrically opposed to the first had been ordained. Subjoined is the substance of the two official notes. First: Letter of the tribunal to Arango, signed by the secretary, Don Marcos Fernandez de Sotomayor, June 20, 1810: "In conformity to what your lordship has exhibited to this Holy Tribunal against its commissary resident in the Havannah, Don Estevan Manuel de Elosua, in memorials with accompanying documents, dated March 31, and April 15, ult. it was agreed, that the said commissary should not be allowed to make any alterations in the emblems your lordship is in the habit of using in your livery, or in those of any other person authorised to wear the same; all further proceedings in the present case being stopped, since the same have created in the tribunal the greatest displeasure, in consequence of their operating not only as an abuse of the authority confided to the commissary under the cloak of the superior on whom he depends, but also as an offence to the distinguished character of your lordship, as well as the high magistracy you hold, all which is this day notified to the said Dr. Elosua, and now communicated to you by order of the tribunal for your information and satisfaction." Second: Official letter to Don Mariano de Arango,

against the Inquisition, with an extract from the abovementioned memorandums, trans-

by D. Juan José Oderiz, on the 11th of October the same year: "I enclose to your lordship an authentic copy of the resolution entered into by this tribunal, respecting the lace with which your brother Don Francisco garnishes the liveries of his servants, in order that, being duly informed thereof, with the greatest decorum and secrecy, he may make arrangements so as to substitute in its place some other which does not bear the sacred emblem of the cross, it being well understood that the said tribunal, animated by its apostolic zeal, and sensible of the obligations imposed upon it by the laws and edicts published at various times by the Holy Office and the eleventh rule of the index of prohibited books, is absolutely bound to prevent the scandal thereby occasioned to pious persons, as well as the derision and irreverence which must result from the manner the said emblem is used, reasons which gave rise to its use being prohibited in other purposes more decent and unexceptionable; due satisfaction has, nevertheless, already been given by this tribunal to the party concerned on the 20th of June ult. respecting the want of attention to his high character and representation with which the commissary had acted in calling in the lace, an oversight which obliged him to lodge a complaint under date of March 31, and April 15, ult." The other case happened in Santiago, to Don Felipe Sobrino Taboada, professor of civil law in the university of that place, and who afterwards appealed to the Cortes. When the French occupied the above city, he held the situation of magistrate of police, and signed a proclamation of the director general of the same in which the latter exhorted the Galicians to lay down their arms, enhancing at the same

mitted from the town of Cañete by the arch-deacon of Cuenca, D. Juan Antonio Rodri-

time the benefits derived from the decree extinguishing the Holy Office as published by his emperor. After the evacuation of the French, the university, at the instigation of his rivals, refused to readmit him to his professor's chair, notwithstanding he had been tried and declared free, and his property restored by the Board of Public Safety, in Corunna, on the plea that in his definitive discharge the restoration of his office was not expressed. Toboada having, however, solved this difficulty by means of a favourable explanation obtained from the said court, they denounced him to the Inquisition. Being informed of the circumstance he presented himself spontaneously, and the result was his detention during five months in the secret prisons, without any charge of crime cognizable by the tribunal being alledged against him, or for which he had not been tried in that of Public Safety, except his having approved of the decree of extinction. Leaving to one side the innocence or criminality of Taboada, as a matter foreign to the question, it is undeniable, that the Inquisitors in this case, behaved towards him in an arbitrary manner, by prosecuting him with no other view than to uphold the wishes of those who aspired to his professor's chair. This is proved by their having proceeded to his arrest without previous consultation, notwithstanding he was a privileged person; their having delayed during two months to notify to him the motives of his confinement, when this ought to have been done at the end of nine days; by having obliged him to close his proceedings without allowing him to establish his defence; by having granted him permission to return to his own house on his parole to keep the same for his prison, and afterwards extended his

gálvarez to one of his friends, for the purposes of reference when the present question was discussed in the national congress. In it some points of information will be noticed, which, although interesting, were omitted by the authors of the documents previously quoted; and notwithstanding some of the expressions he uses may appear too strong, they are nevertheless no more than consonant to his energy and zeal, and by no means foreign to the epistolary style. The following are his words: "The inquisitors firmly adhering to their principles of subversion and despotism, have always pretended to be the most privileged ministers of the church, to whom servile respect and blind obedience were equally due; nor was any one allowed to utter a word respecting what they said or did under the penalty of being deemed suspicious in his religion. Thus have they carried forward their whims, whence even in

bounds to the whole kingdom of Galicia, but enjoining him in case he resided in Santiago, to avoid every exterior act or demeanour that might excite attention, (here we have the professor's chair) and by having commanded him, without previous reconciliation and contrary to the instructions and practice of the tribunal, to comply with the Easter precept.

the present day, both prelates and chapters have been compelled to silence, not to expose themselves to outrages, since they were fully sensible that sooner or later vengeance would be hurled against them. In the year 1801, the bishop of Cuenca instituted a suit against the devotee Maria Isabel Erraiz, and other culprits who were ecclesiastics, when he was compelled to hand over the original proceedings to the Inquisition, which judged and punished the offenders with much less impartiality and success than the bishop would have done. The woman died in prison, but what was the occasion of her death is known to God alone and the Inquisition. Infinite have been the appeals which the churches have made to the king's council respecting the non-residence of persons employed in the tribunal, but the council has abstained from giving its decision, undoubtedly from a dread of seeing its own ministers trampled upon. And if this happens with bishops and the most respectable bodies, what is there a private individual has not to fear?

It really excites astonishment to behold the diabolical condescension with which the Inquisition acted in the time of Philip IV. towards his prime minister, the Duke de

Olivares ; a condescension something similar to that which in our own days it has observed towards another prime minister. Many of the crimes which in part it allowed, and in part committed, may be read in the manuscript cause of Dr. John Espina, and these are the bigamy of the successor of the Duke's house, who in Madrid was called the man of two names, the son of two fathers, and the husband of two wives ; its not having punished him for his crimes towards the nuns of St. Placidus, in whose blood he imbrued his hands ; neither for his receiving communion every eight days in the imperial college (belonging to the Jesuits) with an unconsecrated host ; for having winked at his connexion with a woman, as it was said, sold to the devil, whom the Duke consulted respecting the military operations of Holland, and through whose influence he omitted to garrison the fortress of Maestricht, taken by the allies ; and finally for persecuting, at the Duke's request, the abovementioned Dr. Espina, transferring him from prison to prison till at length he died in that of Cuenca. As ignorance daily became more general in Spain, no other than supernatural effects were to be seen in the epilepsies of men and the hysterics of

women. Under its influence, as well as through the effects of intrigue, the Inquisitor General, Rocaberti, as well as the privy counsellor Diaz, by their charms and spells completely ruined the health of Charles II., and thus extinguished his dynasty in him ; nay little was wanting for the whole nation, already reduced through the tribunal as well as through bad government, to only 5,000,000 souls, to consist of nothing but magicians and demoniacs."

" It would not have been possible," he adds, " for the inquisitors to have maintained themselves in their offices, as well as in the enjoyment of so many privileges, if they had not cherished common ignorance as well as the corruption of manners. This is not to say that in all times learned men were wanting in the kingdom, but they have been compelled to hold no intercourse but among themselves and as it were by stealth. Cardinal Ximenez required the possession of another kind of virtue and policy, not to patronize an establishment inimical to learning and science, at the same time he was cherishing their growth. From the moment this institution reared its head, it would have been destroyed by the popes or monarchs, if both had not rather

wished to experience temporary displeasure than be deprived of lasting satisfaction.— Little does he know of our history, or little has he to thank his own judgment, who doubts that the Inquisition has been the most powerful and sure arm in the hands of despots. Philip II., by promoting the death of his own son, and persecuting Carranza and Antonio Perez, would have appeared what he really was, a ferocious and bloody monster, if this tribunal had not covered him with its cloak. In a word, both princes and prime ministers according to the saying of a minister of Charles III., have always had in it a bull dog to let loose with impunity on every one they could not otherwise get into their own hands; nevertheless they have been the greatest losers, since by tyrannizing over every thing they have lost all. The house of Austria especially ought to be punished and never again suffered to reign in Spain, for having upheld by an unlimited authority the most infamous of tribunals.”*

* It has not been in my power to see the MS. referred to by Dean Rodríguez, notwithstanding he affirms it is by no means scarce. Dr. Espina seems to have had proceedings instituted against him on the score of witchcraft, at least as far as can be inferred from the idea conveyed

So far Dean Rodríguez. The above-mentioned Duke de Olivares, at whose instigation Dr. Espina was persecuted by the Inquisition, also ordered the poet Francisco de Quevedo to be confined in a dungeon, for a memorial in verse he addressed to Philip IV., or which at least was attributed to him, wherein he depicted the deplorable state in which the monarchy stood, owing to the misconduct of the prime minister; so that among us he who has dared to speak of abuses, if he has not suffered from inquisitorial, has at least from ministerial despotism.

Such as I have just delineated, has been the regular succession of complaints and remonstrances to which the Inquisition has given room by its arbitrary conduct, evinced from the time of its establishment in Seville up to our own days. I am well aware that, conformably to my original plan, I ought to present examples of a similar nature in the tribunals of Italy and Portugal; but such an exposition could not fail to be long, and by the two cotemporary writers, Luis Vélez de Guevara in his novel, cap. vii. and Philip IV. in his two comedies entitled *D. Juan de Espina en su Patria*, and *D. Juan de Espina en Milan*; if those are his which, as the title announces, were written by one of the wits of the court, among which these two are enumerated.

would be tedious to my readers, without furnishing them with any more positive information respecting the proposition I offered to demonstrate, and which I conceive I have already amply done. In like manner as the Inquisition among us, in power and authority has surpassed those of other countries, so also has it exceeded them in the abuse of this authority; consequently, it would not only be tiresome, but likewise useless, to seek out its weaker shadow among foreigners, when its exact reality exists among ourselves.* Confining myself to Spain, were I desirous of pressing this matter still further, to the above wrongs I could add many others proved by similar documents. Speaking of Cortes and agreements entered into with the tribunal, I could quote those of the years 1580, 1582, 1597, 1610, 1631, 1635, 1706, and 1713; in reference to consultations held by the Council of Castile with the king, I could produce those of 1634, 1669, 1682, and 1770, as likewise on speaking of the appeals to

* With regard to Italy, vide the work entitled "*Fatti attenanti all'Inquisizione e sua istoria generale et particolare di Toscana*," towards the end; and respecting Portugal, those entitled "*Relation de l'Inquisition de Goa*, cap. xxxviii," by Dellon.

Rome, I could bring forward a variety of them, especially from the year 1482 to 1508; I might, in short, produce several royal decrees issued during the reigns of Philip II., III., and IV., of Charles II., Philip V., Ferdinand VI., and of Charles III., all of them intended to restrain the inquisitors and reform the system of their institution, but I have already been extremely diffuse, and further additions would not materially promote the main object in view. For this reason I shall content myself with a few observations, which will serve to throw greater light on the point more immediately under discussion.

The first observation I have to make is, that, among the multitude of complainants who have stepped forward against the Inquisition, not one is to be found who has hit on the true cause of the evil, which is secrecy, if we except certain private individuals and some of the Cortes held prior to the year 1521, and even these went no further than to solicit that certain restrictions should be imposed in this particular; much less has any one attempted to manifest its discordance with the Gospel and the ancient discipline of the Church, unless it is Fernando del Pulgar and some others of the same way of thinking,

who opposed its introduction into Castile. On the contrary the King's Council itself which had so frequently declaimed against the evil conduct of the inquisitors, and petitioned Charles V. during the sitting of the Council of Trent, to obtain from the pope the reform of various abuses introduced into Spain by the court of Rome, even went so far as to solicit that the powers of the Inquisition should in no way be curtailed, not adverting that the chief of all these abuses was the concession of these same faculties.*

The reason of the erroneous opinions formed of the tribunal is no other than the terror inspired by the name of the Inquisition, owing to which no one, if I may be allowed the expression, dared to look it in the face; as well as the deference of those ages to the Roman See, a deference in great measure occasioned by the doctrines of Thomas Aquinas, which had almost exclusively predominated in the schools. Would it be possible to conceive an opinion more singular than that society ought to perish, rather than a

* M. Le Vassor, *Lettres et Mémoires de François de Vargas, de Pierre de Malvenda, et de quelques Evêques d'Espagne touchant le Concile de Trent.* Note to his letter of October 28, 1551.

single friar should have his renunciation of matrimony dispensed with? Nevertheless a decretal, perhaps wrongly understood, was sufficient for this opinion to be defended by the commentator on the political works of Aristotle, causing him not only to forget the principles of public law, but, also, (contrary to the usual temper of his mind) to treat the canonists who were of a different opinion as ignorant men. Consequently we ought not to be astonished that our ancestors, even those who had been persecuted by the Inquisition, should only have reproved it by halves, when in order to deceive them the more the very laws of the realm concurred, laws sustained by an irresistible force, as well as by the prejudices of education not easily overcome.

The second observation that occurs to me relates to the unceasing outrages the bishops have experienced on the part of this tribunal. That it should have committed a thousand excesses against the civil authorities is not so much to be wondered at, if we consider the pontifical and royal character with which it is invested, and also the extraordinary privileges by which it has been distinguished, uniformly tending to inspire it with an arrogant pride equal to the ascendancy it enjoyed over

the other tribunals ; but that, whilst it proclaimed itself the coadjutor of the pastoral ministry, it should have invaded the jurisdiction of bishops and trampled upon their persons, is an enigma extremely difficult to explain. Nevertheless, methinks I faintly discover the reasons of so strange a proceeding. The popes of the 13th century judged it necessary to palliate an establishment which totally overturned the sacerdotal hierarchy, and no other plea occurred to them than that of providing a remedy against the negligence they supposed to exist in the prelates. This was the reason on which they laid the greatest stress, as is ingenuously confessed, or rather vociferated, by the practical authors on the tribunal ; whence the institution was founded under the supposition that the bishops, either through ignorance or omission, did not then and would not hereafter comply with their obligations. How therefore can it appear astonishing that the inquisitors should have treated them with so little regard, when their very institution had for its basis the wilful degradation of the bishops, and the complete debasement of the pastoral charge ?

Indeed the little consideration with which the Roman See has always treated the epis-

copal order in matters relating to the Inquisition, is evinced by the ridiculous character in which the diocesan bishops appeared during the few short moments they took their seat therein, as well as by other regulations, all of which were directed and ordained to depress the bishops still more and raise up the inquisitors. What function can be imagined more congenial to the shepherd, than that of leading away his flock from venomous pastures? Notwithstanding this, the popes and inquisitors after inhibiting prelates from the exercise of this attribute, assimilate them in every thing with the individual members of their flock, by pointing out to them the books they may read without injury, those whose reading they are to avoid, and threatening them at the same time with the penalty of excommunication. This is the meaning of Peña, when he affirms, that bishops, as such, without an express or tacit privilege from Rome, cannot read prohibited books; and even the same was so declared by Pius V., when consulted by some of them.* Finally, this doctrine so ignominious to the episcopal character, was put in prac-

* Peña, *Ad Director. Inquisitor. part ii. cap. iv. com. 3.*—Delrio, *Disquisit. Magicar. lib. v. sect. xvii.*

tice by Urban VIII. with regard to the bishops of Spain, by revoking from them all, even though they were metropolitans, patriarchs, or primates, the license for reading books of the above description, neither more nor less than he did to all seculars, and retaining it solely for the Inquisitor General.*

* This brief, dated August 17, 1627, is found at the beginning of the index of prohibited books for the year 1632. Its words are "*Omnes et singulas licentias, et facultates legendi libros hæreticorum, seu de hæresi suspectos a Romanis Pontificibus prædecessoribus nostris, seu a nobis, vel generali hæreticæ pravitate in regnis Hispaniarum deputato Inquisitore damnatos et reprobatos, quibuscumque tum clericis secularibus vel regularibus quam laicis in dictis regnis degentibus, cujuscumque illi status, gradus, ordinis, conditionis, et præminentie existant, etiamsi Abbatibus, Episcopali, Archiepiscopali, Patriarchali, primatiali, aut alia Ecclesiastica dignitate, vel mundana, etiam marchionali vel ducali auctoritate, sive excellentia prefulgeant, Generali Inquisitore dumtaxat excepto, Apostolica auctoritate tenore præsentium renovamus.*"

Who could believe that among the patrons of the Inquisition many are to be found who ought most to desire its extermination. The Archbishops of Tarragona and Santiago, the Bishops of Lerida, Tortosa, Barcelona, Urgel, Teruel, Pamplona, Carthagenæ, Oribuela, Astorga, Segovia, Orense, Badajoz, Tui, Moncada, Salamanca, Almería, Cuenca, Plasencia, Albaracin, and many others did not hesitate to address themselves to the Sovereign Congress, praying for the Inquisition to be re-established in the full use of its faculties

The rapacity of this tribunal, which forms so prominent a feature in many of the re-

by various memorials, in which they affirm (and certainly I do not disbelieve it) that nearly all their fellow bishops were of their opinion. Spanish bishops praying for the restoration of the Inquisition! Prelates of the Protestant Church! To you I address myself, who, educated under the shadow of a constitution so liberal as that of England, are enabled, whatever be your religious opinions on other points, to judge and pity the prejudices of a nation grown old under the most oppressive terrorism. What opinion will ye have formed of our bishops, on knowing that in an enlightened age, forgetful of what they owe to their own dignity and the Gospel of which they are ministers, they thus debase themselves so far as to uphold a dismemberment of their own native faculties, as monstrous as it is illegal? Such conduct would appear incredible, if experience had not taught us that under the darkness of slavery, man seeks his own degradation.

But what are the reasons which have induced these reverend prelates to adopt a measure so little creditable to their learning and piety? or rather, in what way have these reverend fathers learned to know what the Inquisition is, since they have scarcely been allowed to enter it beyond the threshold? What studies have they performed, what documents have they examined, to ascertain its good or bad qualities? Before resolving to plead for it, have they duly weighed the contrary arguments I have already adduced, those which still remain to be exhibited, as well as others I pass over in silence to avoid being tedious? And if they have taken due note of these said arguments, why do they hesitate to give us their solution? Cold declamations against the impious constitute the only contents of their

monstrances already presented, affords me room for a third observation. Scarcely had

apologetic representations, which throw no more light on the matter than the petition of the municipality of Arzua, the one presented by about fifty military officers and others, whose substance merely amounts to this, that if our ancestors through will or force endured the tribunal, through will or force we also ought to endure it. I have said that the lords bishops ground their petition in favour of the Inquisition on no reason, but I have said wrong. They allege one which they believe to be extremely powerful, and this is, a want of time to fulfil that part of their ministry confided to the tribunal. But what would follow from this in sound logic, as well as sound theology, is, that these reverend prelates ought rather to solicit the early reduction of their dioceses to a smaller compass, to the end that, by respectively diminishing the affairs of each, and in proportion to their greater number, they may be able to attend to their obligation of defending the faith, which is of such great import, that, according to St. Paul, this, united to the obligation of teaching it, constitutes the very essence of the pastoral charge. It also follows that these reverend prelates ought, moreover, to renounce half, or at least a great part of the revenues they derive from their mitres, since they only seek to comply with one half of the duties imposed upon them, as it is by no means just that the nation should allow them their full stipends, and have at the same time to maintain the Inquisition.

Their reverend lordships declare that their occupations are great; yet, what occupation can suffice to exonerate them from so essential an obligation? It cannot be the administering of confirmation, because, besides being the work of a few minutes, this is but seldom administered.

it been established, I do not mean to say in Seville, but even in Tholouse, when at the court of France, as well as of Rome, the clamours were heard of thousands of families stripped and ruined by men, who, affecting a disregard of the world, were burning with the most inordinate passions which they could not in any other manner satisfy. Of the Franciscan Inquisitors, Alvaro Pelagio, a friar of the same order, and confessor to Pope John XXII., (circumstances which af-

It cannot be the ordinations they perform, for although they invest more persons with sacerdotal power than they ought, this is not an occupation so frequent as to give room for the existence of the Inquisition. Neither can it be their preaching or the visitation of their dioceses, since most of them never preach nor visit their diocese, or if they do, it is only very seldom. Undoubtedly then, it must be the weighty affairs of the ecclesiastical court which consume the time of their reverend lordships and that of their coadjutors. If so, nothing is more easy than to take this impediment out of their way, but of this we shall treat in the next chapter. The representations, consequently, of the said reverend bishops, prove nothing against the proposition I have established: they merely show, and foreign nations as well as future generations will thereby learn to know, that the church of Spain, at the beginning of the 19th century, was more or less in the same state as the monarchy itself.

forded him the best sources of information,) observes, that whilst one part of the confiscated property was destined to the public funds of the place of which the culprit was a native, another to the maintenance of the dependents of the tribunal, and a third for the official expences of the diocesan bishop, in consequence of his having in those times more interference in matters of the faith, the inquisitors nevertheless usurped all for themselves and their order, expressly commuting personal penances into exorbitant fines, which they wrested from the miserable culprits by force.* Those of the Hebrew nation, as being persons of property, they stripped in the most inhuman manner, for which reason Philip the Fair forbade the use of the penalty of confiscation against them.† In subsequent times, the conduct of the Dominicans of Seville was not less criminal, as on the one hand may be inferred by the complaints which took place on this subject from the first year of the existence of the tribunal there, and on the other, from the various convents erected by Torquemada at

* Alvaro Pelagio, *De Planctu Ecclesie*.

† Fleury, *Hist. Ecclesiast. lib. lxxvi.*

the expense of the culprits, and among them that of St. Thomas of Avila.* This is the reason why the converted Jews, together with the Moors of Granada, Valencia, and Aragon, and even the old Christians, when they opposed its introduction into the above kingdoms, evinced so much dread of confiscations. Some knew by public report and others from experience, that the name of the Inquisition was to the clergy and the king a signal for pillage, from which neither property, alienated long before the condemnation of the individual and, though legally possessed by a third person, could escape, nor the dowries of wives, since these were even an additional plea for the latter to be ill-treated or abandoned by their husbands.

In consequence of the numerous remonstrances on the subject of the rapacious acts committed by the Inquisition, an article was early added to its instructions, ordering that the salaries of its ministers should be paid by thirds in advance.† This was likewise partly

* Zurita, *Anales de Aragon*, tom. iv. lib. xx. cap. xlix. *Marineo Siculo*, *De las Cosas Memorables de España*, lib. xix.

† Instructions of the Inquisition of Seville, dated the 9th of January, 1485, n. 10.

occasioned by the bills for money which the King drew on the receiver as depositary of the confiscated property; and hence by another article they were also permitted to alienate, in case of need, any fixed property belonging to the tribunal, and recover its value.* However, in due regard to the singular economy of the inquisitors, this could scarcely ever happen; for, rather than be defrauded of a single farthing, they sold the culprits as slaves, for a longer or shorter time, according to the expenses of the suit. A fact of this kind is to be seen in the *auto de fe* of Mexico for the year 1659, by virtue of which a mestizo, the son of a Spaniard and an Indian woman, and two mulattos, male and female, were sold to be employed in a manufactory: the mestizo for the period of four years, the mulatto woman for six, and the man for ten. It is not therefore strange that the Cortes of Corunna and Santiago, for the year 1520, should have so strongly urged the necessity of a reform in the Inquisition in this particular.

In 1522, it was calculated in Rome, according to a letter written to Charles V. by his ambassador, Don Juan Manuel, that what

* Instructions of the Inquisition of Seville, dated the 27th of October, 1488, n. 13.

our kings had already received from the confiscations of persons merely penanced exceeded a million of ducats. Undoubtedly alluding to this abuse the Pope then said, that he was of opinion that monarchs were not guided by the best zeal when they patronized the Inquisition.* Notwithstanding this, the same pontiff and cardinals were not less diligent in converting its affairs to thir own advantage, than the kings of Spain in deriving utility from its condemnations. The above-mentioned ambassador in another letter to Charles V., giving him hopes that matters would be arranged in favour of the tribunal and against the pretensions of the Aragonese, makes use of these words: "With regard to the cardinals to whom your Highness so frequently writes I will give my opinion. Cardinal Santiquatro attends to the dispatch of ecclesiastical affairs, and in these he has great weight, because he gets what he can for his master as well as for himself. With the Pope he has no authority to do any thing but in this manner, in which he is certainly an able officer." He afterwards advises the Emperor to make him presents from time to time, if he wishes to have him disposed in his service,

* Llorente, *Anales de la Inquisicion*, cap. xiv. n. 17.

adding, that this is what the King of Portugal does, and he continues speaking in the same style of Cardinal de Ancona, and of several others.* With regard to the Pope, in another letter he writes as follows: "A person of probity has assured me that the Pope purposely delays these bulls relating to Aragon and Catalonia, and that Don Luis Carroz is to induce your Highness to be satisfied with the bull already received against the Inquisition, because by your Highness being satisfied therewith, the Pope will secure to himself forty-six or forty-seven thousand ducats.†" Here we have an example how inquisitors, kings, and Roman dignitaries conducted themselves with regard to monied concerns: the first by following up the spoils of unfortunate victims, and the latter by putting out bulls to interest, and trafficking them with those who opposed the establishment of the tribunal and others who promoted it.‡

* Llorente, *ibid.* n. 18.

† *Ibid.* n. 35.

‡ In the celebrated collection of satirical pictures belonging to Don Francisco Goya y Lucientes, painter to Charles IV., known under the name of *Caprichos*, or Whims, two are intended to ridicule the Inquisition. In the first, No. 23, representing an *autillo* or small auto of the faith, the author reproves the avarice of the inquisitors in the following manner. He represents a culprit in a

But what crime is there so heinous or so foreign to the ministers of the Church that has not been committed or harboured by the

long dress, seated on one of the steps or a small bench placed on the stage, habited in a *sánbenito* and *corosa*, with his arms folded, his head leaning down on his breast, as if ashamed, and the secretary reading his sentence to him from the pulpit in presence of a numerous concourse of ecclesiastics. At the bottom this motto is affixed, "*Aquellos polvos,*" to which ought to be added the second part of the same proverb; viz., *traxeron estos lodos*. (From that dust was made this mud.) The explanation handed about in MS. is in these terms:—these *autillos* or small autos are the harvest and diversion of a certain class of people. By this it seems that the motto ought not to be applied to the culprit, as at first sight would appear to be the case, but to the tribunal. The second picture is the one immediately following the above, No. 24, representing a woman condemned to be scourged for being a witch, mounted on an ass, the upper part of her body naked, wearing a *coroza*, surrounded by the ministers of justice and followed by the mob. Motto, "*No hubo remedio.*" The manuscript explanation is, "*Era pobre y fea, no hubo remedio.*" (She was poor and ugly, of course must be a witch). We have already shown in the preceding chapter that ugliness and raggedness, with the inquisitors, were infallible signs of witchcraft. The above work, notwithstanding the veil with which the author covered his meaning, either by representing the objects in caricature or by applying to them vague and indirect mottos, was denounced to the Inquisition. The pictures were not, however, lost, for Señor Goya hastened to present them to the King, and his Majesty ordered them to be deposited in the Chalcography Institute

Inquisition? What species of wrongs could be mentioned which it has not in some way or other caused, and this with a great excess of atrocity? Most holy virginity, received by many as Christ in Jerusalem, with palms and hosannas, yet sheltered by few! Thou art the richest jewel that adorns the Catholic priesthood, but how few are the priests in whose hands thy lilies are not faded! And if privation stimulates the appetite of man for what is forbidden, and the incentives with which opportunity favours him are so much the more powerful as he sees impunity the more certain, who so much exposed to be borne away by his sensual propensities as an inquisitor? I will not here bring forward the anecdotes related on this subject by foreign writers, such, among others, as the one that took place in Seville about the middle of the 16th century; another in Portugal, at the end of the 17th, and a third in Zaragoza at the beginning of the 18th century; because, notwithstanding all of them are extremely probable if the system of the tribunal is only well considered, such odious details, to be asserted with any kind of confidence, ought to be supported by testimony that admits of no doubt. In speaking of these irregularities

I shall confine myself to what has been testified by our own national and cotemporary authors.

Gonzalo de Ayora, historian to their Catholic Majesties and one of the deputies sent up to court by the city of Cordova in consequence of the outrages committed by Lucero, writing to Miguel Pérez de Almazan, secretary of state to King Ferdinand when he resumed the government of Castile through the death of Philip I., makes use of the following words: " With regard to the Inquisition, the measure adopted was, to place so much confidence in the archbishop of Seville, Lucero, and Juan de la Fuente, (counsellor of Castile and of the Supreme Inquisition) that they filled all these kingdoms with infamy, and in violation of the laws of God, as well as in contradiction to all justice, they destroyed the greatest part of them, by killing, robbing, and forcing maidens and married women, to the great shame and discredit of the Christian religion. As far as relates to myself, I make known to your Lordship that I have already written you that the wrongs and injuries which the evil ministers of the Inquisition have done in my country are such and so great, that there is no reasonable

person acquainted with them who is not filled with the keenest regret." *

If such was the unruliness of the inquisitors of Cordova at the end of the 15th century, that of the members of the tribunal of Zaragoza was not less so at the close of the 16th. Antonio Pérez, after relating various outrages committed by it, adds as follows: "Of other excesses on the part of particular judges, of proceedings falsified, curtailed, handled in such a manner as to gain favour with the superiors, and besides stimulated by personal incentives so loose, disorderly, and notorious, that nothing else is to be seen in the proceedings agitated in the supreme court of Inquisition; and fraught with the piteous complaints of sufferers, injured maidens, and newly married women; overcome and possessed through the stratagems practised in these trials, so revolting and disgraceful that no one would fail to prefer public shame to such secret dishonour — of these things, in short, it is impossible to speak; all we can do is to beseech the supreme inquisitor of the land to remedy them before God sends down some public vengeance, as he usually does in such cases of crying injustice on the earth." What he here says of

* Llorente, *Anales de la Inquisicion*, cap. ix. n. 18.

the supreme inquisitor is meant of the Pope, without adverting that from this quarter the evil originally came. He then concludes in these words: "But no more of this at present, since now-a-days it amounts to a crime for any one to complain of his wrongs or to bewail public injuries, the same as it is to demand justice, or even to be possessed of it." Of one of the inquisitors he likewise affirms, that he was a great friend of the contractor of a brothel which at that time existed in Zaragoza, and that he was in the habit of going out at night in disguise and with arms upon him. He afterwards adds, "I merely say what is going on—even much less, and only relate those things which are public and to be found in judicial proceedings; for were I to particularize those which are secret, these very ruffians would have to bless themselves."

Similar to the above was the dissolute conduct of the inquisitors of Mexico about the middle of the 17th century; since the venerable Palafox, in his letter to the Inquisitor General, describes them in the following manner: "If these gentlemen live thus!"—He here makes a stop, and then proceeds to say, "Although I feel extremely hurt, I never-

* Antonio Pérez, Relacion del 24 de Setiembre.

theless am silent ; but let not your Lordship doubt that they who act in this manner in public, with a view to please their superior, live in the most melancholy manner, as far as regards private life ; and even this is publicly known. I wish to lend silence to modesty, and will only speak openly by individualizing cases and things when your Lordship should be of opinion that it is meet for the service of God." In the postscript he further adds, " These four persons, the archbishop and the three inquisitors, are indebted to me for not writing to your Lordship many well known and abominable acts of theirs, and very foreign to their occupations, by which my faith, persecuted by them and defended by me, would not be the less accredited." Palafox does not explain whether the ministers of the tribunal of Mexico, in order to gratify their passions, actually availed themselves of their authority ; but, if they did not, we may safely conclude it was not through motives of delicacy ; and as, besides, the terror with which the whole of New Spain beheld them was such as the holy prelate depicts, what woman was there capable of resisting, I do not say one of their serious threats, but even the slightest insinuation ?

Ah! if every thing that has happened in the Inquisition on this subject were only known! How often has the beauty of a female culprit been the only plea for subjecting her to the torture, and to the nakedness with which this was administered! That chastity was therein exposed to the greatest danger, besides being evident from all the accompanying circumstances, is further proved by the ordinances of the Holy Office of Portugal; which, for this very reason, enjoins that no woman should have the torture of the rack inflicted upon her.* If we likewise bear in mind that in early times the kinds of torture used were not the same afterwards designated as the ordinary ones, but others chosen according to the whim of the inquisitors, this abuse will still appear more probable. In Seville about the middle of the 15th century (and this is a different case to the one mentioned by foreign writers) an inquisitor commanded a beautiful young female, accused of practising Jewish rites, to be scourged in his own presence; and, after committing lewdness with her, he delivered her over to the flames. "Oh! inquisitors,"

* Regimento do Santo Officio de Portugal, lib. ii. tit. xiv. n. 6.

exclaims the historian who has transmitted this anecdote down to us, "oh! inquisitors, savage beasts, how long will God endure your tyrannic and cruel acts! Oh! Spaniards, who are so fondly attached to your wives and children, and watch over them with such jealous care, how long will you endure that these old libertines of Susannah should behold them in a state of nudity, and thus gratify their lecherous propensities?"* It is therefore undeniable that the spotless maiden, as well as the chaste spouse, were alike torn from the bosom of their mothers or dragged from the nuptial couch, and conveyed to the prisons of the Holy Office, through the lasciviousness of the inquisitors covered with the cloak of religion.

One of the most revolting traits of tyranny to be met with in Roman history is the outrage committed by Appius Claudius, member of the decemvirate, on Virginia, daughter of the centurion of that name and betrothed to Icilius formerly a tribune of the people. Appius Claudius, unable to devise a means of

* Cipriano de Valera Tratado del Papa y de su Autoridad. According to him this circumstance was known through an inquisitor who jocosely related it as the act of one of his colleagues.

triumphing over the chastity of the youthful maid, after suborning the necessary witnesses, caused a friend to claim her as a slave in his tribunal, in order that, being adjudged to him as the true owner, he might have her at his own disposal. So far the Inquisition and the tribunal of the decemvir were on a par; but how different have been the results! Icilius appeared in the forum when the sentence was about to be pronounced and, upbraiding Appius with his despotism and lewdness, protested that as long as the husband of Virginia lived, no one should stain her honour or detain her an instant from her paternal roof. The father came in haste to the capital from the camp of Algidum, where he then was, and, crying out in the most pitiful manner, demanded of the tyrant whether the reward of those who defended their country with their blood was to have to endure in their children the most painful of all the evils with which a victorious enemy can afflict it? Appius nevertheless gave the verdict of slavery against the maid, and at the same time that of his own perdition, for both the army and people rose and assassinated him.* Such were the

* Tit. Liv. *Histor. lib. iii. cap. xliv. et seq.*—Sext. Aurel. *Victor. De Vir. Illust. cap. xxi.*

complaints and remonstrances of the relations of Virginia, and such the end of her iniquitous judge; but has any one thus dared to reproach the inquisitors? Or, if ever the complaints of the injured were able to penetrate to a superior power, was the issue such as to warn or keep them in awe? The culprits, threatened with infallible ruin in case they revealed their wrongs to any one, had to pine over them in secret;—the respect to the oath by which they were restrained deprived them of utterance;—heaven itself, whose thunderbolts the inquisitors wielded, seemed interested that so much oppression should escape with impunity.*

* The invectives of Quevedo against the Inquisition, in his *Historia y Vida del Gran Tacaño*, chap. vi., are not less poignant than ingenious. The objects he particularly strikes at are, that false devotion which sometimes it has tolerated, and at others cherished in the people, whilst at the same time it held them in the greatest terror; the frivolity of many of the causes therein tried; its urgency to force the culprits to confess; and, finally, its avarice and attacks on the fair sex, although the two latter vices, from their being so very odious, he takes care rather to saddle on the dependents of the tribunal. He introduces the hero of his fable relating the wicked tricks he performed in Alcalá de Henares, when he was a boy, in the house of Don Diego a single gentleman whom he served, by robbing him, in accord with the housekeeper, of part

Thus the Inquisition, surpassing the greatest tyrants in pride and fierceness, has not

of the money he gave them for the daily expenses of the house, and also fraudulently obtaining from the housekeeper herself a quantity of fowls she kept in the yard and then eating them. These are his words:

“ It must have been a great deal (what they both robbed from their master), yet nobody thought of restitution: though the housekeeper went to confession every eight days, yet I never knew her think or even dream of returning any; nor was she ever troubled with scruples, notwithstanding she was, as I have already said, so very sanctified. She wore a rosary round her neck, so large that it would have been easier to carry a bundle of wood on one's back; and from it hung whole handfuls of images, crosses, and pardon beads. On all of these, she said, she prayed every night for her benefactors. She used to tell over a hundred and odd saints who were her patrons; and in truth she required the whole of these helps to make up for all that she sinned,” &c. After describing the character of the housekeeper, he goes on to relate the principal occurrence in this form:

“ It happened that the housekeeper bred fowls in a back-yard, and I had a great longing to eat one of them for her. She had twelve or thirteen sizeable chickens, and one day, whilst feeding them, she began to cry out ‘ Pio! Pio!’ (the Spanish mode of calling fowls together, corresponding to our Chuck! Chuck!) and this over and over again. I, who heard the manner in which she was calling, began to halloo out and say, ‘In the name of heaven, housekeeper, what are you doing? Couldn't you have killed a man, stolen coin from the king, or any thing else I might

yielded to them in its arbitrary and despotic conduct. Every thing odious to be met with

have kept secret, and not do what you have done, of which I cannot help informing? How unfortunate am I, and how hapless are you!’ Seeing me agitated in so serious a manner, she was alarmed and said, ‘How, Paul, I, what have I done? If thou jokest with me, don’t make me uneasy any more.’ ‘How joke?’ said I, it is real earnest. I cannot help laying an information before the Inquisition; for otherwise I shall be excommunicated.’ ‘Inquisition!!!’ replied she, and immediately began to tremble; ‘how, I, have I done any thing against the faith?’ ‘This is the worst part of the story,’ said I, ‘don’t sport with the inquisitors; say you were a booby and that you recall your words, but don’t deny the blasphemy and irreverence you have committed.’ Well, I recall my words; but prithee tell me why, since, as I hope rest to the souls of my departed parents, I vow I don’t know.’ ‘Is it possible you didn’t notice what happened? Don’t you remember you said to the chickens pio! pio! and Pio (Pius) is the name of the popes, vicars of God, and heads of the Church?’” In what follows is the criticism to which I alluded:

“She turned pale and replied, ‘Paul, I did indeed say so; but, as I hope forgiveness from God, it was not in the way of malice, and I recall my words. See by what means thou canst avoid accusing me, for I should die if I was put into the Inquisition.’ ‘If you will only swear that you intended no malice, and my conscience is set at rest, I can then forbear accusing you; but it will be necessary for you to give me these two chickens, called together as they were to eat by the most holy name of the popes, in order that I may convey them to some familiar of the Holy Office

in the iniquitous Enquesta of Aragon, the Bastile of Paris, or any other of the tremendous

for him to burn them, because they are polluted; and you must moreover swear not to relapse.' She was very well pleased and said, 'Well then, Paul, take them away with thee now.' To urge her on the more, I answered, 'The worst of all is, Cipriana, (for that was her name,) I myself shall run a risk; for the familiar may ask me whether I committed the offence myself, and in the mean time make me suffer; carry them yourself, since, by my troth, what should I gain by it?' 'Paul,' said she, on hearing what I said, 'for the love of God have pity on me and carry them, since nothing can thereby happen to thee.' I let her beseech me for some time, and at length consented. I took up the chickens, hid them in my own room, feigned to go out, and after awhile returned, saying, 'I've managed better than I expected. The rogue of a familiar wanted to come back with me to see the woman, but I've tricked him finely and managed the whole affair.' She embraced me a thousand times and gave me another chicken for myself, which I carried off to where his companions were, and had a good stew made of them at a cook's shop, and enjoyed my feast in company with the other servants." So far our author.

The idea here meant to be conveyed, as may easily be understood by any one the least versed in Spanish phraseology and the inuendoes of the language, is fully expressed in the words "nothing can happen to thee," as the house-keeper assures El Tacaño, when she requests him to go to see the familiar in her stead, as well as in those spoken by the hero of the story after executing his commission; viz. "the rogue of a familiar wanted to come back with me to

establishments erected by despots to oppress their people, is found united, and even exceeded, in the monstrous tribunal to which we allude. Whilst its ministers were venerated and feared like Gods on the earth, their will has been the only rule of their actions; nor in their eyes have men met with any other consideration than if they had been born to be trampled under their feet. With such a picture before them, well might our ancestors have said, if in a matter so serious I may be allowed to borrow examples from the ancient mythology, what Juno says of Jupiter in the mouth of Homer :

Μή μοι, Διὰ Θέμι, ταῦτα δαίρειν ὅσθ' α καὶ αὐτῇ,
 Οἷος ἐκαίης θυμὸς ὑπερφύαλος καὶ ἀπηνής;
 Νήπιω, εἰ Ζεὺς μανιάνομεν ἀφρονέοντες,
 Ἥ ἔτι μιν μέγα μιν καταπαυσίμην, ἄσσαν ἰόντες,
 Ἥ ἔπει, ἢ βίη' ὃ δ' ἀφάρμενος ἐκ ἀλγυγίζῃ,
 Οὐδ' ὅστις φασὶν γὰρ ἐν ἀθανάτοις Διοῖσι
 Κάρτε' τι σθένος τι διακρῖναι εἶναι ἄριστος.
 Τῶ' ἔχον', εἴ, τίτι καὶ ὕμνοι κακὸν πέμπουσιν ἐκάστη.

HOM. 'ΙΛ. Ο', vers. 93, et seq.

see the woman." And that no doubt of this being a satire against the Inquisition may be entertained, Quevedo in the same chapter relates the recent persecution of Antonio Perez, though with a mixture of heterogeneous ideas, or, what is the same thing, by using those round-about expressions so indispensably necessary when truth would be a crime in the writer.

Fair Themis first presents the golden bowl,
And anxious asks what cares disturb her soul?
To whom the white-arm'd goddess thus replies:
Enough thou know'st, the tyrant of the skies
Severely bent his purpose to fulfil,
Unmov'd his mind and unrestrain'd his will,
Supreme he sits, and sees, in pride of sway,
Your vassal godheads grudgingly obey;
Fierce in the majesty of pow'r controuls,—
Shakes all the thrones of heav'n and bends the poles.
Submit, immortals, all he wills obey.

POPE'S HOMER'S Iliad.

CHAPTER VII.

As the Inquisition owes its Origin to the Decline of Church-discipline and Remissness of the Clergy, it opposes Obstacles to their Reform, which is absolutely necessary if the Nation is to prosper.

MOST monstrous as is the plan of the Inquisition, and, generally speaking, most reprehensible the conduct of its ministers, the plan of my work would be still more absurd and myself more deserving of reproof if, after manifesting the vices of this tribunal, I were not to extend my researches to another object beyond that of its abolition. Persons belonging to the clergy were they who first founded it; clergymen they who dictated its laws; and individuals of the same class those who exercised the duties of its judicature and sustained its institutions with the greatest firmness and zeal. If so, ought not the whole responsibility to fall on this same clergy? And, if it has been this description of persons who were the authors of all the evils the

Inquisition has caused to the world, and in them its tyranny is besides rooted, will it suffice for the tribunal to be suppressed, in order that the nation may recover its lost liberties? For any one to be of this opinion would argue a want of penetration and an ignorance of the intimate connexion that exists between effects and their causes, or rather an irresolution and a want of courage to stem the torrent of disorders introduced into society by a class of persons who, though bound to be the most regular and exemplary, have nevertheless degenerated in the most egregious manner from their primitive institution. Nothing should we gain by abolishing the Inquisition, if we did not go a step further. Of no avail would it be to deprive the tyrant of his rod, if we still left his arm in a state to wield it again, or perhaps able to procure another still worse. It is necessary to restrain him within those limits which the happiness of the monarchy and the splendour of religion would imperiously prescribe.

It is useless in this place to produce arguments in order to prove that the discipline of the church began to decline from the fourth age, or rather from the time our priests conciliated the emperors to their inte-

rests; nor has any reform that may be called radical taken place therein up to the present day without affecting the dogmas of the faith. It is sufficient merely to have glanced at ecclesiastical history not to doubt the truth of this assertion. The decline of the discipline, and the relaxation in the manners of the clergy, obliged St. Hilary to exclaim, in the transports of his grief, that the church was already lost, and St. Bernard also to say that corruption and rottenness had seized upon it.* "In consequence of this decline," Robert, Bishop of Lincoln, said, whilst on his death-bed, and in presence of his clergy and a Dominican who acted as his physician and theologian, "that the popes made monarchs accomplices in their crimes under the agency of the mendicants; that in them was the true Antichrist, and that the church would not be able to free herself from this slavery unless with a strong hand and uplifted arm."† Speaking of this same decline, John of Salis-

* S. Hilar. lib. contra Auxent. This passage, which I have already quoted under a translated form, and with the force of the original diminished, is literally thus: "*Hæc de comparatione traditæ nobis olim Ecclesiæ, nuncque deperditæ.*"—S. Bernard, Sermon xxxiii. in Cant.

† Mathew Paris, *Histor. Anglor.* Ad. an. 1253.

bury observed, when consulted by Adrian IV., “that the Church of Rome was not the mother, but the stepmother of the other churches; that her see was occupied by scribes and pharisees, and that the pope had really become almost insupportable.*

Owing to the same decline, the Fathers of the Council of Constance conceived the project, which was not realized, of reforming the church, not only in its members, but also in its head; and, for this reason, Pope Eugenius IV. in that of Basle went so far as to confess that the church had not a sound part in her whole body.† Commenting on this lamentable decline, Jacob of Paradise, monk of the Carthusian convent of Hertford, used to say that he feared it would last till the end of the world; since the great ones of the earth, and above all the ecclesiastics, were the most opposed to reform.‡ Adrian IV., speaking of this decline in the instructions he gave in consequence of the disturbances excited by Luther

* Baronius, Annal. tom. xii. Ad an. 1156, n. 10.

† Collection des Opuscules de M. L'Abbé Fleury, tom. v. part i. § 2.

‡ *De Septem Statibus Ecclesiæ in Apocalypsi Descriptis.* This treatise is found in his *Quodlibetum Statuum Humanorum.*

to his legate in the diet of Nuremberg, observed, "that God permitted the above persecution owing to the sins of the people, of the priests and bishops, and, above all, because of the abominable excesses of the popes and their officers;" adding, "that all the prelates, and himself with them, had wandered from the right road."* Finally, this same decline was lamented by the congregation of cardinals commissioned to make a report to Paul III. previous to the convocation of the Council of Trent respecting the Roman see, when they asserted that the Church of Jesus Christ was threatened with ruin, or rather was totally cast down; yet these said abuses were only partially reformed by the above council, for the very same reasons which had prevented the former ones, viz. the excessive influence the Italians had therein.† Thus did these great men express themselves, notwithstanding they either did not know the Inquisition, or, through the calamity of the times in which they lived, knew it but ill; what then would they not have said if they had been possessed of more exact notions of its

* Collection des Opuscules de M. L'Abbé Fleury, tom. v. part i. § 2.

† Ibid. § 3.

ecclesiastical and civil polity, and had only witnessed the infinite number of wrongs and outrages committed by this tribunal?

This remissness and relaxation in the ecclesiastical state is consequently undeniable, neither can it be disputed that this decline has been principally occasioned by the boundless ambition of its members. It was through ambition that the ministers of the Sanctuary, acquiring an extreme preponderance over the other classes, from pastors and fathers of the people became converted into wolves and tyrants; and to it they owe that colossal power they enjoy, as foreign to their vocation and institution as it is fatal to the church and the kingdom. In order that the truth of my observation may produce conviction and manifest the absolute impossibility under which Spain stands of being happy as long as this clerical preponderance subsists, I will briefly enumerate, as far as is consistent with the plan of my work, the principal points tending to support my position, and of which it has been hitherto impossible to speak, unless with the greatest difficulty, owing to the terror under which every one was held by the Inquisition. These, if I am not mistaken, may be confined to three heads, viz. the exces-

sive number of ecclesiastics, their exorbitant riches, and their privileges, derived from the munificence of princes or else from usurpation. I will say nothing of the moral disorders of the clergy, because I do not consider myself possessed of sufficient authority or virtue to reprove them; neither shall I speak of its hierarchical disorders, under which name I understand all those emanating from the interior discipline of the church, of which I have already said sufficient; but will merely confine myself to treat of the political ones, which, being more directly opposed to the prosperity of the people, are attended with the most grievous and extensive consequences.

With regard to the excessive number of persons composing the clergy, as early as the 17th century this was acknowledged by Don Pedro Fernandez Navarrete, canon of the metropolitan church of Santiago, and Father Angel Manrique, Cistercian abbot and professor of Salamanca.* The latter, penetrated with a lively sense of the deplorable situation of the monarchy, undertook to demonstrate the im-

* Pedro Fernández Navarrete, *Conservacion de Monarquias*, disc. xlii. et seq.—Fr. Angel Manrique, *Socorro que el Estado Ecclesiastico podria Hacer al Rey*, cap. vii. n. 4 et seq.

perious necessity of extinguishing convents and reducing the clergy ; and, establishing as principal reasons, on the one hand the want of population, and on the other the difficulty of many attaining the perfection this state requires, and the debasement into which it must necessarily fall, by becoming so common and general, he expresses himself in the following terms : “ In former times, a prelate in the course of ten years used to ordain seven priests, seven deacons, and three or four acolytes ; by this means they were all select ; but now no bishop of Castile suffers the Ember-weeks to pass by without ordaining, nor does any ordination take place in which four or five hundred do not enter. How is it possible then, that so many can be found holy ? And if unfortunately they are not, of what use are clergymen and friars to God ? It is extremely difficult to believe, that in the present times he invites more than he did in others. Of all those who superabound what is it we can say, unless that they come of themselves, or that they are brought by earthly motives ? Some are influenced by convenience, because, as they would have to pass their lives in a state of mediocrity, they are thus enabled to live with

more ease ; and others by a love for money, because clergymen obtain large revenues, whereas as seculars, in all probability they would have to live poor. Others again are vain of the ecclesiastical state, and conceive that a son, by being ordained a curate, makes the farming father a gentleman ; that a canonship ennobles the offspring of a merchant, and that if he arrives to be a bishop, it renders his whole lineage illustrious." In like manner descanting on the great number of friars and nuns, he gives to understand that the vocation in many of them is no other than a love of ease ; and positively affirms, that in many of the latter it is the effect of violence.*

We ought not however to be astonished at these abuses in both branches of the clergy ; for, were I to express what I feel on this subject, I should undisguisedly assert that the councils which deliberated on this matter did not display sufficient energy in order to put

* Fr. Angel Manrique, *ibid.* The work of Navarrete was regularly printed, and from it several editions have since been made. That of Father Manrique, as it tells harder truths and with less disguise, was not published till of late years, when the government efficaciously patronized such writings. In my quotation I have made use of a MS. I possess written about the time of the author or a little afterwards.

an end to them. Independent of the unlimited facility every one has possessed of founding benefices, ordinations under the title of poverty, as well as under what is called the title of patrimony, have produced a deluge of priests, whose destiny has been no other than to swell out the ecclesiastical party, and to overload and debilitate the secular one. Neither the one nor the other kind of ordination ought to subsist. The first because, if the poverty which serves for its title is chimerical, (as, in fact, I believe it is, from supposing a sure subsistence in the person ordained,) it amounts to an hypocrisy disgraceful to religion; and, if real, it is a discredit to the Spanish people, who, priding themselves on being the most religious of any to be found, ought not to abandon the ministers of the altar to chance. Neither ought the ordination under the title of patrimony to be tolerated, and this for a reason analogous to the one I have just explained. The time is therefore come when we are to consider ecclesiastics not as simple things or presents consecrated to the divinity, under which respect ordination would still have its bounds, but as officiating citizens, whose number ought never to exceed that of the offices; neither ought

the number of the latter to be greater than necessity requires. Would the system of that government perchance be rational which allows the public functionaries to increase at their own will? or that, when they do not exceed the necessary number, should pretend they were to maintain themselves at their own expense, or should condemn them to mendicancy? Would this be to promote good order, and, as more immediately connected with the object in view, would this be to protect religion?

It ought also to be remembered that, whilst it has been the religious orders which have had most influence in the abuses of modern discipline and most prevented the progress of knowledge, they have likewise most strongly oppressed the remaining classes of the state. I pass over in silence the extravagant privileges which the popes have heaped upon them to the detriment of the ordinary ecclesiastical jurisdiction, and without any other view than to use them as auxiliary troops wherewith to establish their universal theocracy. The establishment of the Inquisition was, chiefly in Spain, the work of friars, and these were also its most faithful coadjutors; of such moment was it to intrench themselves

within so strong a bulwark. Their tenaciousness to preserve the superstitious practices received from their forefathers, and the prejudices of all kinds they have sought to cherish, is described by Luis Vives with his usual elegance, when he compares it to that of an Athenian soldier named Cinegirus; who, having had his two hands cut off in the battle of Marathon, seized on his enemy with his teeth when unable to do it in any other manner.* Seeking after the abundance of their convents rather than the triumph of the truth, they have in general studied and taught the sciences, not for the purpose of perfecting their knowledge and acquiring fresh sources of information, but in order to sustain the credit of their authors; celebrating any new cavil as a most happy discovery, and glorying only in scholastic subtilties.

It cannot be denied that among the regular orders some have been seen distinguished in all the branches of science; but this does not destroy the truth of my proposition. The number of their wise men disappears at the

* Luis Vives, De Concordia et Discordia, lib. ii. in vol. ii. "*Quod semel arripuerunt, amputatis manibus, retinent tamen ac tuentur dentibus, ut de Cynægiro illo Atheniensi memorant in prælio apud Marathonem.*"

sight of the multitude of ignorant persons who have consumed their time in idleness, or by their writings clouded reason with sophisms instead of rendering it more bright; and this appears the more remarkable, because, in great measure freed from the cares of life, they had more convenience for study than the seculars. In a word, the advantages the friars have brought to the state are very far from being an equivalent for the burdens and injuries they have entailed upon it; nor indeed could any thing else be expected, since who does not see that these gigantic bodies, by uniting an immense mass of relations and interests, must with their exorbitant power, as the above author observes, cast down and subject the private individual? * Thus has it happened that, whilst exteriorly they have affected a cordial fraternity, and interiorly divided into parties, like the philosophers ridiculed by Lucian, they have given each other most cruel bites; acting in conjunction, with their viper tongues and through the most iniquitous means, in imitation of the hypocrites described by Christ in the mouth of St.

* Ibid. "*Vivunt ex benignitate populi, et tamen timori ac gaudent, et gloriantur se esse illis terrori, a quibus jurantur, et posse plurimum nocere. Dementes qui ita sentiunt !*"

Matthew, they have mortally persecuted all those who have combated their absurd maxims or opposed their machinations.* Fanatics from system, yet constantly intent on their own concerns, they will tighten the chains of the people by representing that kings are sent down from heaven, that no one is to resist their will, whilst at the same time they will conspire against them, and bury their daggers in their breasts, as they did to Henry III. and IV. of France ; or administer poison to them even in the eucharist, as they did to Henry VII. of Germany, whenever they refuse to patronise their ambitious views. In

* Luis Vives, *ibid.* “ *Inter eos professio cum professione certat odii asperrimis, et ex eadem natione ac secta alii cum aliis, inter quos est, nescio quid, in victu et vestitu discrepantie ; in eodem quoque carnobio, et intra eosdem parietes ospitales puerilibus de causis inimicitias et factiones tamquam in imperio ; si quem tamen oderunt foris, in illius odium eorum multi frequentes consentiunt, conferunt inter se vires ad eum ledendum, mittunt jacula atrocissima.*” And further on he adds, “ *Quam nihil sit atrocius quam hæretici nota aliquem inarere, nihil magis habent in ore, nullum promptius telum quod jaciant. An istud ex mansuetudine et caritate Christiana, quam continenter sonant, laudant, ingominant, inculcant, quam a nulla re absint longius ? Pugnant acerbissimis odiis, et quibus possunt viribus, igne et ferro qui possunt, qui non possunt animo malevolentissimo, et lingua venenatissima.*”

short, Vives himself does not hesitate to call them Turks under the disguise of Christians, and pronounces their yoke to be more heavy and detestable than that of the Grand Segnior.* It appears incredible that a passage written in terms so strong should have escaped the censorious rod of the Inquisition. Undoubtedly it was because this author's Latin was not that which the inquisitors and their friends were in the habits of reading.

These corporations consequently ought not to outlive the reform of church-discipline and the new organization of the monarchy, if the one is to be reformed and the other organized in a fundamental and permanent manner, as the good of the church and of the nation imperiously demand. They ought all to cease to exist now that it is proved they are useless and even prejudicial. Let us listen to the words of Clement XIV. who, being a friar and a pope, and consequently favouring religious orders, cannot be suspected of animosity.

* Ibid. "*Qui se ita oppressos vident, in eam præ indignatione rabiem ac desperationem adducuntur, ut abrupta cupiant omnia et mutata, rebusque novis avidissime studeant, quo jugum illud et tyrannidem excutiant, adeo ut nec Turcæ abominentur nomen, nec sub eo recusent vitam agere; immo malint sub illo aperte Turca, quam sub his eorum opinione Turcis in persona Christianorum latentibus.*"

He thus expresses himself respecting the extinction of the Jesuits: "The Church knows only two orders indispensably necessary and as founded by Christ himself, and these are the bishops and inferior priests. Its best ages had no friars or nuns, which plainly implies that religion requires no other ministers than the ordinary ones for its conservation. Every order therefore ought not to repine at its suppression; but frequently self-love persuades us we are necessary, though governments do not consider us as such. If less enthusiasm and more principles existed (that is, in the language of the day, less fanaticism and more information,) we should all conform to these truths; and, far from rashly seeking to uphold a body by whom sovereigns consider themselves injured, each one would seek to withdraw without murmuring or noise. Unfortunately we all cherish our own illusions, and believe that it is impossible to lay hands on our institution without offending religion itself.*" This is as far as regards the excessive number of ecclesiastics.

With regard to their riches, it is notorious that in all times these have been extremely exorbitant, in such manner that generally

* Letters of Clement XIV. letter cix.

they have not only defrayed the expense of maintaining the worship with magnificence, a thing by no means unreasonable, but also served to cherish the luxury of its ministers, without excepting those orders which profess extreme temperance and a disregard of the world. John Trithemius, abbot of the Benedictines, writing at the end of the 14th century, did not hesitate to affirm that his order alone possessed a third part of the real property of the Christian world.* I conceive that the proposition is exaggerated, but at least it demonstrates that in Germany, where the said author wrote, this institution possessed fixed property to an incalculable amount. I am not astonished that a desire to swallow up the whole of an exhausted and tottering empire should have paved the way to Lutheranism; but the reason is most assuredly strange which our Alphonso de Castro exhibits to prove the reduction of the Lutherans to the Catholic church as morally

* Johan. Trithem. *Theatrum vite humane*, tom. vi. verb. *Religiosa*, quoted by the Jesuit Fathers of New Spain, authors of the work intitled *Memorial al Rey N. Sr. en satisfaccion de un libro de el visitador obispo D. Juan de Palafox y Mendoza publicado en nombre de el dean y cabildo de su iglesia catedral de la Puebla de los Angeles*.

impossible, when he says that the latter would not admit them into its bosom unless they restored to it its ancient riches.* To such a pitch can the illusion of some theologians reach!

With regard to the revenue of the clergy of Spain, it is both astonishing and alarming to think that it greatly exceeds what the monarchy requires for its ordinary expenses. In the Canary islands this excess is so disproportioned, that the ecclesiastical rents amount to 1,000,000 of dollars, at the same time the ingress of the treasury does not reach 145,000, which renders it necessary for the state to add as much more for the maintenance of its officers and other expenses. Quit-rents, mortgages, pensions, and royal grants, revenues proceeding from lordships, charities of the Cruzada, voluntary oblations, begging and parochial dues, in addition to tythes and first-fruits, together with the emoluments of tribunals, have hitherto been the sources which have swelled the sacerdotal treasure. In a word, the riches of the clergy can be measured by no better rule than their own characteristic love of gain, and the in-

* Alfonso de Castro, De justa hæreticorum punit. lib. ii. cap. v.

discreet piety of the faithful. Their love of gain obliged the Christian Emperors Valentinianus and Valens, as St. Jerome deplotes at the same time that he applauds the measure, to exclude the clergy and monks from all inherited property, notwithstanding they made favourable provisions on this subject in behalf of priests of the idols, of comedians, prostitutes, as well as the vilest classes of society.*

A circumstance most worthy of notice is, that the persons on whom the whole weight of the spiritual ministry rests are usually the worst paid, and indeed some have scarcely the necessaries of life. This, for example, happens in the archbishopric of Toledo, where the income of many parish-priests scarcely amounts to 300 ducats, whereas one of the dignitaries of the cathedral receives as much as one hundred thousand, not to say any thing of the see which brings in to its possessor an annual revenue of from eleven to 12,000,000 of rials.

Tythes, which as I have already said, and

* S. Jerom. Epist. ii. "*Pudet dicere. Sacerdotes idolorum, mimi, aurigæ, et scorta hæreditates capiunt; solis clericis et monachis hoc lege prohibetur, non a persecutoribus, sed a principibus Christianis; nec de lege conqueror, sed doleo quod meruimus hanc legem.*"

every one knows, constitute perhaps the most considerable part of the income of the clergy, also present more substantial grounds for animadversion than any other branch. I have no hesitation to affirm that, although in substance they are of divine right, as far as relates to supplying the ministers of religion with a suitable maintenance, nevertheless if we consider the footing on which they now stand, they may justly serve as a model for unjust contributions, in like manner as the Inquisition may serve as a prototype for all iniquitous tribunals. In their collection no regard is paid to justice, inasmuch as, by the expenses of tilling the land and breeding of cattle not being deducted, the prorata amounts, not merely to ten per cent., which even in that case would be exorbitant, but to forty, and perhaps to fifty, at least in those years when the harvest proves unproductive. A want of justice is also observed with regard to the contributor; since, in general, tythes are only paid by the farmer in one or two of the above branches, and not by the mechanic or tradesman. Finally, justice is infringed with regard to the original motives for which tythes were established ; since the

contributor is obliged to allow the parochial clergymen the same church rates as another who does not pay the above impost.

With respect to the privileges granted to ecclesiastics, the reform of which is so extremely urgent, as well on account of the dishonour they bring on the sanctuary, as the oppression they create upon the people, my attention is particularly called to the civil jurisdiction with which the clergy are invested. By virtue of this, or rather in consequence of a culpable oversight on the part of governments, such a number of courts subsist under the charge of ministers whose duty binding them to live abstracted from all temporal matters; or, if they do interfere in litigations, to act rather as conciliators; not only have placed under their inspection all kinds of causes, but likewise enabled them to carry deceit and chicanery beyond what is known in the most corrupted secular tribunals. Who could believe, when for the sake of good harmony among citizens the decision of their differences was originally confided to bishops, that the time would come when these same bishops, for the detestable purpose of enriching themselves at the expense of the litigants,

should prohibit all compromise and adjustment between the contending parties.* And if the lowest of the ecclesiastical courts have been thus tainted with the vices of avarice, uniting, as they have, with their immoderate rates of costs the eternal duration of suits, is it not extremely natural to conclude that in the higher tribunals this abuse must have been much greater? Subjoined are the complaints respecting the excesses of the Nunciature, addressed to Urban VIII. by the nation assembled in Cortes, during the reign of Philip IV.

“ The fees demanded in this court, as well by the ministers as the delegate judges, are in all and in every case regulated by the will of each, and the costs of a suit, not only in its definitive stage, but also frequently under its interlocutory form, exceed 200 ducats. In the price no attention is paid to the difficulty of the cause and the amount of the suit, but to the substance of the litigants; and what is worse, they haggle previously to sentence, the same as if this was put up at public auction, and the terms in which it is at length given are proportioned to the sum received. In order to make the contest as well as the

* Collection des *opuscules* de M. l'Abbé Fleury, tom v.

materials of gain last the longer, such a variety of articles and proceedings have been introduced, that the life of no man can reach the termination of a suit, nor will any estate bear out the expenses. Before the pleas have been answered in their principal points, so many proceedings occur on the subject of maintenance, exceptions, and a diversity of other heads, that the time and expense of each is equivalent to a whole law-suit in the secular tribunals. To no one, who demands it, is a special bull denied, because, they say, if it contain any wrong it can be corrected. In one day this is obtained on the part of litigants for contrary purposes, and when they come to make use of them, and find each other reciprocally perplexed, at no small expense they have to pay for another brief in order to amend the first. They do not receive the current money, but exact hard silver and gold. The salaries they assign to the judges, bailiffs, and cursitors, sent out on special commissions, are so extremely exorbitant, that one visit from them is equivalent to the penalties awarded for very heavy crimes.*"

* Memorial presented by Don Juan Chumacero y Carrillo, and Father Domingo Pimentel, bishop of Cor-

Such have been the abuses, and such the predominancy enjoyed by one of the chief ecclesiastical courts. Those of the Inquisition, a tribunal still higher and more privileged than the Nunciature, have already been proved in the course of the present work. It now only remains for me to make good what I imparted in my outset respecting the Inquisitor General, who has been no other than a real monarch, or at least a *Regulus* decorated with the prerogatives of sovereignty.* The faculty inherent to Majesty of dictating and interpreting laws, as well as that of commuting and pardoning penalties, has been fully exercised by the supreme chief of the Inquisition. Even in exterior pomp and parade he emulated

dova, to Urban VIII. in 1633, respecting the excesses committed in Rome against the natives of these kingdoms, chap. x. n. 67.

* It has been justly observed that the office of Inquisitor General is a post of such great eminence and power, that if the King of Spain had a son an ecclesiastic, he would not consider it a dishonour for him to occupy it. This is so true, that Philip IV. having given to a person the choice of the Archbishopric of Toledo or the above office, on finding he preferred the first, sportively observed that the candidate was not so clever as he had imagined, since he had rather chosen to be Archbishop of Toledo than Inquisitor General. —TR.

kingly power and ostentation both within and without his tribunal. It is well known that Torquemada in his journeys, either because he was influenced by fear, or sought to infuse it, carried about with him fifty familiars on horseback and 200 on foot.* A penitent by profession, for this is the real definition of a friar, bearing about with him arrogance and terror wherever he went! The Council of the Supreme has besides been, with regard to the Inquisitor General, what that of Castile was to the king; and anciently, the respect paid to him was so great, that when he consulted the board, they always answered by using the term, "We conform," even though afterwards they should manifest a contrary opinion; a form similar to that practised by the tribunals and other authorities towards the king when they received an order, whose compliance they considered injurious, agreeing that it should be obeyed, but that a remonstrance should be made against it before it was carried into execution.† In the ser-

* Páramo, De Orig. S. Inquisit. lib. ii. tit. ii. cap. 5.

† This is found in the collection of original documents belonging to the private library of the king, to which I have before referred.

vice also of the Inquisitor General and of his tribunal, the grandees of the most distinguished pedigree have been employed, indeed they have not disdained to accept the title and duties of bailiff. Even the Cortes of the kingdom have had to yield to his predominant authority. It excites indignation when we read that the Cortes of Monzon for the year 1564, having presented several propositions to Philip II. on the subject of a reform in the Inquisition, they were admitted or rejected as it pleased the Inquisitor General.*

* *Actos de Cortes del Reino de Aragon.*—The degenerate state of the clergy among us is proved by the proverbial saying of *Conciencia de teólogo* (the conscience of a divine), synonymous with *Ancha conciencia* (a broad conscience). The irregular conduct of the friars is also pointedly evinced by various proverbs, as well in the Portuguese and Catalonian languages as Castilian, which I do not now repeat from their being well known, and that I may not be wanting in the decorum I owe my readers, since most of them are in terms of the utmost contempt. The above sentence, together with those I had previously quoted against the Inquisition, added to the disguised mockery of our writers, all of whom it would be impossible to mention, clearly demonstrate that, although clerical despotism successfully oppressed the people, nevertheless it did not prevent them from being sensible

It therefore appears evident that in order to produce a just equilibrium between the

of their oppression. However I by no means agree with the opinion of Señor Llorente, who, in the memoir above quoted, respecting the true opinion of Spaniards on the subject of the Inquisition, and written in contradiction to foreigners who affirm that autos de fe constitute our greatest delight, attempts to prove that the tribunal not only entered, but also has continued in Spain against the general will of the country. I say I do not agree with his way of thinking; since nothing is more notorious than the deference of our ancestors to the Roman See in religious matters, as well as the estimation in which great and small, literary and not literary, held the titles and insignias of the Holy Office; and also the enthusiasm with which they celebrated its autos, so much so as to use them as entertainments for kings, as was the case towards Philip II. on his arrival in Spain; Philip III., when he performed a journey to Portugal; Philip V., on his accession to the throne, though we must acknowledge the latter refused to assist. The said Llorente guided by a corresponding zeal, and grounding himself on weak conjectures, and the false supposition that Torquemada was only confessor to King Ferdinand and not Queen Isabella, also undertakes to prove that the latter did not decidedly patronise the creation of the Inquisition. The contrary is in fact manifested by Sextus IV., in his brief of February 23, 1483, in which he applauds her on this account. Pulgar likewise establishes the point, and Zurita attests it when he affirms, that the Aragonese in their opposition to the tribunal, understanding that it was the Queen who

clergy and the other classes of the state, it will be advisable to diminish the number of ecclesiastics, reduce their revenues, and divest them of all civil jurisdiction. Bishops and parish priests, with their respective vicars to aid them in the pastoral charge and the teaching of ecclesiastical science, and a presbytery, senate, or sacerdotal council, held in the capital of the diocese, partly formed of meritorious curates, and partly out of the professors in seminaries on the plan of competition, are the only labourers the church requires, and most assuredly they suffice for the spiritual ministry. The teaching of ecclesiastical science alone ought to be confided

most patronised it, set about making a present to her. With regard to Torquemada having been her confessor, besides the circumstance being mentioned by all our historians, it is proved by some of the documents in the collection belonging to the private library of the king, one of which is, the Instructions of the Holy Office, done in Seville, on the 29th of November, 1484. In these Torquemada calls himself, and is also called by King Ferdinand, "Confessor to their Highnesses," and "Confessor to the King and Queen." We readily grant that her Majesty was possessed of great talent and a good heart; but it sufficed that she was a woman for the friars to abuse her piety even more than that of her husband.

to the clergy, and this in the seminaries; whilst the choice should depend on another order in society, and indeed the professorships of the above science in the universities ought to be open to every citizen. It is extremely impolitic to place unwary youth in the hands of a determined class of persons. Would the friars have made so many proselytes, if they had not had the charge of so many scholars? When their property is once alienated in favour of the nation, tythes, parochial rates, and all such burdensome imposts abolished, and begging prohibited, the provision for the worship and the maintenance of its ministers, through the medium of a contribution assigned by the legislative power, will then be defrayed by the public treasury, or rather by the people, to whom they will thus be more devoted.* I say the

* Respecting the direct control of church property, vide the Cistercian, Robert Curalt, in his work entitled, "*Genuina totius Jurisprudentiæ Sacræ Principia*," printed in Vienna, 1790, part ii. § xlii. With regard to the celebration of the mass, see the same author, who strongly mentions the propriety of this being performed only on festival days, when the people are present, as in the eight first ages of the church, and of stipends being abolished. Ibid. § xl.

same with regard to the contentious jurisdiction of the church, which ought to cease, and with it all its tribunals; nor ought any other to be retained than that of penance, that is, such a one as in its exterior form may have for its object the preservation of the faith and the voluntary conversion of him who may have strayed from the church, and in its internal distribution the direction of the faithful in the right path; the clergy thus remaining, in all other matters which are not spiritual, subject to the civil power, the same as the other citizens.

There is no reason for any one to be offended, because I assert that the clergy ought to submit to the secular forms of justice; nor can any apprehensions be entertained that on this account the respect due to their character will be in the least diminished. On the contrary, it will be better secured by means of that subordination which the good of society so greatly requires, and of the necessity of which experience has long convinced us. Never were the clergy so much distinguished with prerogatives and exemptions as in the middle ages, yet they were never so much debased. The opinion in which they were then held by the people may be collected

from the following verses, taken from a work entitled *Planctus Ecclesiæ*, by Westordus, who wrote about that time.

<i>Emergit insolentia</i>	<i>Majores cum minoribus</i>
<i>Recedit conscientia</i>	<i>Indocti cum doctoribus</i>
<i>Communiter a clero.</i>	<i>Non habent rectum spiritum.</i>

*Sunt a cunctis judicati
Plus tyrannis depravati,
Et virtutis ignari.**

Abroad stalks Pride, and conscience far
Retreating from the Prelate's breast,
Nor low, nor high, illiterate, learn'd,
Of upright spirit are possess'd :
By all adjudged of tyrant race,
Estrang'd to virtue, void of grace.

Without an effective reform our labour would be in vain. As long as ecclesiastics aspiring to odious privileges seek to add honour and distinction to their character by any other means than science and virtue, and whilst they do not pride themselves on being the first among the citizens in the observance of the laws, they will always be less venerated and esteemed.

How greatly also would not this plan of

* It is inserted by Francis Walquius in his "*Monumenta Medii Ævi*," part iii.

reform tend to simplify the course of ecclesiastical studies, which may be considered as another of its advantages. The matters relating to benefices, law of presentations, and the enactments regarding regular orders, with all their odious privileges, would be then lopped off from the science of the canons. In like manner the attention would no longer be called to litigious questions, and suits at law, or subjects relating to matrimonial contracts, which, being of the first importance, ought not to be withheld from the civil authority. If, on the other hand, the controversial medley of scholastic divinity (Vives calls it *rixosam Theologiam*) is banished from the public schools, and what relates to the dogma taught in its stead, such pursuits will better accord with the science of church discipline, and, in the study of both, students would have to employ no more than half the time they formerly did in poring over the follies of the decretals and the trifles of the peripatetic school. A tribunal of the nature I have described, and adequately supported by the executive power, is consequently what ought to be substituted for the Inquisition, under the form I shall proceed to delineate, as soon as I have answered certain arguments partly

of a novel character, of which its patrons most avail themselves for the purposes of deluding the multitude.

First, they argue that an establishment must necessarily be holy and advantageous to the nation, against which the heretical and impious have always so loudly declaimed, and whose abolition was besides decreed at the camp of Chamartin by the emperor of the French, the unjust invader of the kingdom, and the pattern of all impiety.* A most ridiculous parologism indeed, and unworthy of sensible men! The heretical and impious therefore can do nothing right! If so, all their opinions even in church discipline, politics, or public law must have been erroneous, and on the contrary, those of the Catholics alone conformable to right. But why not rather make use of this argument to reprove the shameful blindness of those very persons who propose it, or to expose their malicious obstinacy in defending a tribunal, whose monstrous plan, united with the irregularities of its ministers, had gone

* These are the sentiments of the author of the pamphlet entitled, "Apología de la Inquisición," who begins by flattering his reader by this same argument. It is also used by the "Filósofo Rancio," letter xxviii.

so far as to scandalize the very adepts in impiety? The proofs I have already advanced, derived as they are from the nature of the institution itself, and the weighty authors I have quoted, not so much to shield myself with their opinions, as because of the information they afford frequently contrary to their own intentions, whilst they evince the sound judgment of those who have written against the Inquisition, condemn the superficial reasonings of so many, who boasting of being Catholics, not only are, or feign to be ignorant of the spirit of Christianity, but also divested of every gleam of natural logic.

That Buonaparte abolished this tribunal proves nothing against the premises I have established. In France he also declared the Catholic religion to be that of the state, and for this reason will any one dare to assert that it ought not equally to be declared such in Spain? He assembled the Cortes in Bayonne and trumped up a constitution; and are we hence to infer that the Spanish nation is not to call together its long wished for Cortes, and adopt such form of government as may be deemed most fit? In Paris he convoked a national council, why then do those who make similar objections promote the convo-

cation of one here?*" Napoleon declared, it is true, that the Catholic religion should predominate in France, he assembled the Cortes, and convoked a council, but this was merely at the instigation of his own insidious policy, which though capable of turning Frenchmen mad, in Spain experiences nothing but the most humiliating opposition. On the other hand, he is already too successful in riveting the slavery of nations through the aid of his new system of police and military despotism, to require the support of so exotic a tribunal as the Inquisition. No, it is not to the degraded French or their detested Emperor that the glory of casting down the Inquisition was reserved; eternal ignominy is rather due to both, the first for having prepared a cradle for this tribunal, and the second for most resembling it in deceitful treachery and atrocity. Hence ought

* Most assuredly, a council composed of bishops who had advocated the cause of the Inquisition would be an admirable sight! A national council is indeed necessary, but let it be left till the time when no one of them holding a seat therein shall be marked with such a stigma, or with that of having been elected at a period when the electors might say *Ementes quærimus*, (and would to God that money had been the only price offered) instead of *Nolentes*, as in former times they used to say.

we not to forget that in Languedoc this tribunal was first founded, and that the French councils of those times had no small influence in the formation of its code of laws.

The second argument adduced in favour of the Inquisition is, that it has purged the Spanish monarchy of all kinds of sects, prevented the introduction of new ones, and preserved it from those religious wars which have desolated other countries. Such an argument is certainly more specious than solid, as must appear if only examined with impartiality. Undoubtedly this tribunal has freed Spain from sects, yet it is also true that nothing can resist so infernal an establishment as this : by it good and evil are equally borne down ; religion and superstition alike protected, and when it has gathered fruits it has been by first depriving the tree of life. Most assuredly the expulsion of the Jews and Moors from Spain was principally owing to its exertions, but let me ask, in this did it act justly ? Did it thus promote the honour of the gospel ? Nay, did it render a real service to the nation ? We have here three distinct points, each of which would require a long dissertation, but this is not the time to venture so far—hereafter perhaps the day may come. For the

present I am satisfied with observing, that if, notwithstanding the rights of citizenship the Jews had enjoyed for so many ages, they could be thus forced into the alternative of being baptized or becoming exiles, with regard to the Moors, as before we had occasion to notice, this could not be done without breaking through a capitulation confirmed by a most solemn oath. As far as relates to disturbances through motives of religion, it is easy to put a stop to them ; execute a tenth of the priests of the aggressing party, and there is no fear of its rising up again.*

* Whatever be the rigour and spirit of intolerance which a nation adopts with regard to foreign modes of worship, there can be no excuse when the same is extended towards the dead, more particularly when they were persons belonging to allied and friendly nations. No one possessed of sensibility can behold unmoved a funeral procession, intended as the last tribute of regard to the relation, friend, or citizen, leaving the body of the deceased in an open field, or on a beach, where perhaps the remains of man will soon be mixed with those of the beast. Bitter were the complaints of Young when decent burial was denied to his daughter in Montpellier, and poignant the sarcasms which, for that reason, he aims at the Catholics. These are his words :

“ While Nature melted, Superstition raved ;
That mourn’d the dead, and this denied a grave.

The partisans of the Inquisition loudly declaim against their opponents by enhancing its utility in the extirpation of heresies, but with how much greater reason ought they not to cry out against the popes, whose ambition caused so many of those heresies to spring up, in the extirpation of which this tribunal has been so long busied? "Whilst his holiness united with the bishops," says Macanaz, "has never erred in matters relating to the faith, he himself, borne away by ambition or guided by the political ministers of the age by whom his court is not less surrounded than that of any other sovereign, has

Their sighs incens'd, sighs foreign to the will!
Their will the tyger suck'd, outrag'd the storm;
For oh! the cursed ungodliness of zeal!
While sinful flesh relented, spirit nurs'd
In blind Infallibility's embrace,
The sainted spirit petrified the breast;
Deny'd the charity of dust to spread
O'er dust! a charity their dogs enjoy."

NIGHT THOUGHTS, III. v. 161.

Why ought there not be some inclosed spot for the burial of foreigners, at least in the great cities and seaports, which they more frequently visit? Such an omission, far from being conformable to the dictates of religion, argues a want of hospitality towards the remains of those who have lived with and preceded us in the long journey to eternity. Such neglect indicates little delicacy of sentiment, or rather a want of civilization.

entailed most serious injuries on the church. Through his boundless ambition it was that we witnessed the separation of the Greek church, that we saw England lost, Germany and nearly all the North rent asunder with Lutheranism, besides an infinite number of other examples we all have to deplore and with which both ecclesiastical and profane history is filled.”* Thus does this celebrated writer express himself though an apologist of the tribunal, and even before him Vargas, our ambassador at the Council of Trent had said the same.† With regard to myself I do not hesitate to assert that, if the Albigenses and Waldenses, against whom the Inquisition was originally founded, and afterwards the Lutherans, were possessed of some errors, they nevertheless preached certain truths more hateful to the clergy than were these same errors, inasmuch as they humbled their arrogance and overbearing pride. The latter consequently ought rather to have amended their conduct; but they took the shortest road, which was to compel their enemies to silence through the medium of terror. Such was in fact the primary object of the Inquisition.

* Melchor de Macanaz, in his MS. already quoted, part i. art. xvi.

† Lettre de 26 Nov. 1551.

However greatly the utility of this establishment may be enhanced it will at all times appear mixed with incalculable evils, which cannot cease to remind us that the best defence of religion is found in the exemplary conduct of its ministers, and that, on the contrary, their irregularities are more ignominious to the practice of divine faith and worship than the most bloody persecutions.

Notwithstanding I agree that the Inquisition, through the aid of its Machiavelian system, has always been able to carry its enterprises into effect, nevertheless I do not on this account mean to acknowledge that it has possessed any particular dexterity and discernment, or indeed any habitual propensity to good. I am induced to enter on this explanation before I recur to what Páramo says respecting the prioress of the Annunciata convent of Lisbon, who had persuaded Father Luis de Granada and other grave members of her order, that she had the wounds of Jesus Christ imprinted on her person, when he affirms that it was through the tribunal that this deception was discovered. This, however, was by no means the case, since in fact the plot was found out by the nuns and their female attendants. Let us listen to the

writer of the life of the above venerable man. "The Inquisitor General," says he, "was informed that the gifts and revelations reported of this nun were not true, and that the wounds she was represented to have on her hands, feet, and side, were also fictitious, as well as the shining brightness noticed in her, together with other singular things which had acquired her the extensive reputation of a saint. Urged by persons of zeal, as well as in compliance with the duties of his office, on the 9th of August, 1588, he commissioned the archbishop of Lisbon, and other persons named in the brief, to proceed to make inquiry into the particulars of the case. They consequently examined all the nuns and female servants belonging to the convent, when some of them deposed that they had seen her paint the wounds through a hole which for that purpose had been made in the door."*

The authority of so many canonized saints who have bestowed honourable encomiums on the Inquisition, and more particularly that of some who therein held offices and suffered death in its defence, is the third argument alleged in support of this institution. To

* Vide the Life of Father Luis de Granada, at the beginning of his works.

satisfy this objection, I answer that men the most eminent in virtue did not for this reason escape the prejudices or even the errors of the age in which they lived. "There was a saint," says Melchor Cano, "who believed that the baptism administered by heretics ought to be re-performed; another who denied that Christ experienced any pain in his body; another admitted the doctrine of the Millenarians; another that matrimony is dissolved by adultery; another that the souls of the just will not enjoy real bliss till the day of final judgment; another that the rational soul is communicated through the medium of generation; another that the soul of Adam was created before his body; and finally that angels were such long before the existence of the corporeal world.*"

It may perhaps be retorted that as the above doctrines are not immediately connected with morality, in a purely speculative sense the saints might very well have adopted them without any real injury to their virtue; but let me observe that history precludes the possibility of such a reply, by holding out to us the facts of some who were deluded in matters relating to customs, and who acted

* Melchor Cano, *De Locis Theologicis*, lib. vii. cap. iii.

conformably to their delusion. St. Gregory VII. practised, if he was not the first who invented, the subversive maxim from which so many scandals have originated, viz. that popes can dethrone monarchs; and St. Thomas of Canterbury, abiding by the common opinion of his time, suffered martyrdom in order to defend the doctrine that the immunity of the clergy in judicial causes was of divine right, in such manner that he sealed a political error with his blood by taking it for a dogma of religion.* Government ought to order the words in which the conduct of the above pontiff is praised to be blotted out from the breviary, as subversive of the sovereignty of the nation.†

Having reached this point I ought not to pass over in silence the martyrdom of the inquisitor and joint canon of the metropolitan church of Zaragoza, St. Peter de Arbues,

* Fleury, Discours IV. sur l'Histoire Ecclesiast. chap. vii. et ix.

† The words are thus: "*Contra Henrici Imperatoris impios conatus fortis per omnia athleta impavidus permansit, seque pro muro domui Israel ponere non timuit, ac eundem Henricum in profundum malorum prolapsum fidelium communione regnoque privavit, atque subditos populos fide ei data liberavit.*"

which being occasioned by the resistance the kingdom of Aragon opposed to the establishment of the Inquisition under its new system, and by also exciting towards him the compassion of the lower orders, as in such cases usually happens, greatly contributed to consolidate the tribunal. Without pretending in any way to dispute his merits for canonization, by proving, as probably I could, that he was killed under no hatred to the faith, it must still be acknowledged that his death bore little resemblance to that of the apostles. Our historian, Zurita, speaking of this event uses the following words: "That blessed man entered the door of the cloister with a small lantern in his hand (it was the hour of matins) bearing also the staff of a short lance, as he had seen the night before persons who sought to enter his room in order to kill him, presuming that a great conspiracy existed against him on the part of the converted heretics, and he got so far as to place himself under the pulpit on the epistle side, and leaning the staff against a column he knelt down before the high altar."*

It seems evident that the weapon he carried about with him was, if possible, to over-

* Zurita, *Anales de Aragon*, lib. xx. cap. lxxv.

come his enemies; otherwise why should he have it? Besides, this very fact is intended to be understood by the above author when he affirms, that the experience he had of their laying wait for his life obliged him to be on his guard. If the first defenders of the Christian religion had thus offered themselves to martyrdom, would they have done it so much honour? But setting aside so disagreeable a question, the partisans of the Inquisition must allow that, if St. Peter de Arbues was wrongfully killed, at least he was well avenged; since, in consequence of this event, various autos of the faith were celebrated, in which the aggressors, or those supposed to be such, were executed. I say nothing of the scandalous disinterment and burning of the body of one of them, by the hands of his own son, to which I alluded when speaking of the cruelty of this tribunal.

The fourth argument used in favour of the Inquisition is, that, if such an establishment were contrary to the spirit of the Gospel, the liberty of the people, and the security of the citizen, it would be impossible to conceive how the Church, which is infallible, not only in her express decisions respecting dogmas and customs, but also in her universally re-

ceived practices, should have been able to tolerate and even authorize it. To this argument another analogous is added, which is, that the œcumenical councils of Lateran, Vienne, Constance, and Trent, celebrated after the erection of the tribunal, in some measure approved it; since they allowed it to continue in the exercise of its authority: and even that of Constance itself performed an auto of the faith in which it delivered over to the flames the bones of Jerome of Prague and the person of John Huss. This argument, as far as relates to the first part, is the chief one wielded by the patrons of the Inquisition, as well as by all those who have at any time defended its inveterate disorders. Of it, and of the authority of Popes Innocent VI., Julius III., Adrian VI., and Clement VII., Martin Delrio availed himself in order to prove that the nocturnal flights of witches were real facts, and not illusions of the brain; and, confiding in the same, he did not hesitate to bid defiance to the critics who laughed at his simplicity, on whom he recriminated as persons of suspicious faith.* Resting on this

* Martin Delrio, *Disquisit. Magicar. lib. v. sect. xvi.*
"Minantur mihi Philippicas," says he, *"et calami rigorem.*

argument, and on the authority of five ages, Francisco Antonio Zacaria pretends that the rights usurped from sovereigns are legal and belonging to the Church.* Finally, it is from this same argument that Don Pedro de Castro, as well as Father Thomas Hurtado before him, derive support in order to prove that the torture is in no way opposed to justice or sound reason, and to treat those countries as irreligious in which it had been abolished.†

But what will they say who argue thus, if I bring forward against them their own pleas increased with additional force? The unjust and absurd canonical purgations or ordeals prevailed in the Church for a longer period of time, and more generally, than the Inquisition, commanded and authorized as they were by particular synods and exalted by the popes; and will it, for this reason, be said, that they ought not to have been removed, or that now they ought to be re-established? The trial by torture, still more unjust and even more absurd than the canonical purga-

Expecto et reexpecto; sed nihil video nisi minas et inanes jactantias."

* Francisco Antonio Zacaria, *Storia polemica delle Proibizioni di Libri*. Lib. ii. disc. iii. part ii. cap. iii.

† Pedro de Castro, *Defensa de la Tortura*.

tions, as fully proved by Filangieri, and as such at present banished from all criminal codes, has been more in use than the former; and, what is extremely remarkable, has entered, as one of the most principal parts, in the mode of process used by the Inquisition itself. And, for this reason, ought the torture still to continue in Spain? Let the patrons of the tribunal answer this, and apply the solution they give to my argument to their own, and they will find it will exactly fit. With regard to the councils above referred to, it will suffice to say, that those Fathers, in a doctrine on which they were not called to make a declaration, followed the current of the day. What have we better known in the present times than the fraud committed in the decretals by Isidore Mercator? Notwithstanding this, and although this same fraud introduced a thousand abuses, it was nevertheless hidden to the above councils. At the present moment ecclesiastical laws permit the purchase and sale of negroes, nor is the smallest objection therein found: nevertheless, how horrid will not this traffic sound, if hereafter all nations, as some already have done, lend an ear to humanity, justice, and sound policy?

The purport of the fifth argument is, that even granting that the Inquisition ought to be abolished, since it is the work of popes as much or more than of kings, the consent of both authorities is necessary, and consequently it will be proper to await the release of Pius VII. in order that he may be able to declare his pleasure. I answer, that the grant of the tribunal, as made to our kings by the Court of Rome, if it can be called a grant and not a deception, ought to cease as soon as it is discovered to be prejudicial, unless we seek to give to the popes the faculty of perpetuating the calamities of the people. And what will become of their authority in this point if it is proved that they could not in a valid manner establish the tribunal, by thus trampling upon episcopal jurisdiction? Whatever be the case, nations in abolishing this institution do no more than make use of their natural rights. Thus was it understood a few years ago by the government of Portugal, who suppressed it in Goa; and in this light was it also considered by Ferdinand IV., King of the Two Sicilies, and Peter-Leopold, Grand Duke of Tuscany, who of themselves abolished it in their respective dominions.*

* Leopold, in his decree of the 5th July, 1782, abolish-

Still another argument is used, intended rather to intimidate those who combat the Inquisition than overcome their opinions. Its design is to urge that the popes, and principally Pius V., in the bull "*Si de protegendis*," fulminate excommunication *latæ sententiæ* against those who impede the free exercise of the tribunal, and with greater reason, against those who conspire or promote its ruin. To those who argue in this strain, we might answer in the words of Menippus to Jupiter, when, according to Lucian, the latter being at a loss in a dispute with the above philosopher, threatened to strike him with a thunderbolt. "Thou appealest to

ing the Inquisition, previously reformed by his father in 1745, and by this very fact emancipating the episcopal jurisdiction, declares, that in this he makes use of his power. The following is a transcript of his own words: "Riflettendo che i tribunali del S. Uffizio sono ormai inutili nel Gran Ducato, che i soli vescovi hanno ricevuto da Dio il sacro deposito della fede, che fa ad essi un gran torto il dividere con altri la porzione più gelosa della loro potestà e che essi saranno tanto più impegnati ad usarne con la maggior vigilanza quando siano soli a risponderne a Dio ed al Sovrano; perciò abbiamo determinato di abolire interamente, come di fatto con la pienezza della nostra suprema ed assoluta potestà abolischiamo ed annulliamo nei nostri felicissimi stati il tribunale dell'Inquisizione."

the thunderbolt, then confess thyself conquered."

How much could I here say of the value of this new thunderbolt of the Vatican, or in other words, of this wide excommunication unknown among the ancients! I say of its value, because its illegality is as palpable as every other measure aimed against the Gospel, which ordains that excommunication must be preceded by the admonition of him who has sinned, and against the incontrovertible principle of all legislation which forbids any one being condemned before he has been heard; but the frenzy of revenge made the clergy shut their eyes to these objections, and even to brand the simple assent to an error against the faith as obstinate.

Confining myself to the value of this excommunication, I observe that in the present case, I consider it as nugatory, and I give my reasons why. All spiritual superiors, without excepting the pope and even the œcumenical councils, in matters of government, are subject, not less than every temporal chief, to the tribunal of public opinion; therefore, to pretend to enslave the latter by prohibiting an examination into the defects of the Inquisition, or of any other establishment, is

manifest tyranny—it is to act without authority.

With regard to the alleged bull, it is my duty to state that the Count de Aranda, whilst president of the Council of Castile, drew up, under date of March 12, 1770, an exposition, and laid it before the said council, which gave rise to the two consultations of the 18th of May of the same year, and the 8th of January of the year following. In it he demands that a representation be addressed to his Majesty, in order that he may command the suspension of its reading in the churches, till the proper measures are taken for its revocation, because it attacks the rights of the sovereignty, and even the person of the monarch, at the same time advertising that it also tramples on humanity and much more so on Christian charity, since it not only orders that he who simply puts a minister of the tribunal in fear, as well as he who intercedes for the culprits, shall be delivered over to the civil magistracy for the purpose of suffering death. The president of the council might moreover have added that the above pope, not satisfied with commanding what has already been stated, attempts to compel his successors not to grant any pardon

unless under the form prescribed in the bull. And as it was not possible to use language so strong without running great risk, the Count avails himself of the pretext of the bull not being genuine or its translation not faithful; but no one has ever doubted its authenticity, neither does the Spanish translation, or the Italian one which was read before the pope, in any way differ from the original; nor do the contents in any way clash with the general character of Pius V. How well does the intercession of the inquisitors in the auto de fe accord with the tenor and meaning of this same bull!*

* The following are the words of the brief in Italian, as found at the end of the work of the inquisitor Massini. "Ordiniamo che ciascuno o sia persona privata, o terra, o città, o popolo, o signore, conte, marchese, duca, o per piu degno titolo illustre il quale ucciderá, batterá, butterá in terra o spaventerá qualsivoglia inquisitore, avvocato, procuratore o notajo, ovvero altro ministro del Santo Uffizio, ovvero qualunque accusatore, denunziante o testimonio, subito sia lasciato in potere del giudice secolare, il quale li dia quelle pene che per legittime constitutioni alli condannati si danno, applicati al fisco li loro beni, e robe in quell' istesso modo que per le leggi canoniche é statuito degli eretici condannati." The threat against those who intercede for the culprit, is as follows. "E quelli che faranno pruova di domandar perdono ed intercedere per questi tali sappiano di esser subito incorsi nelle medesime pene che sono dalli

Finally, the apologists of the Inquisition object against their antagonists, believing that by this they strengthen their own cause, that they are men of no regular studies, or at least, that they have only followed up courses of Latin, and a year or two of philosophy, and consequently, that their interfering in these matters is merely owing to their perusal of a few superficial books. Thus do they talk when their own writings do not present any important investigation whatever, and when their reasonings do not penetrate the very bark of the difficulty. With regard to myself, far from being offended, I gladly admit the supposition to be true, and argue in this manner: If, being a stranger to science, I have discovered so many vices in the Inquisition as well as so many abuses in its ministers, how much greater would not have been the discoveries of one prepared with the necessary knowledge, who should equally have taken this

sacri canoni contro li fautori degli eretici stabilito."

What regards the popes and their successors is as follows.

"Anzi ordiniamo che non si deroghi in alcuna parte alla presente costituzione se non se interserisce di parola tutto il suo contenuto, che la grazia sia fatta di certa sentenza del sommo Pontefice e segnata di sua propria mano, ed ogni altra derogazione in qualunque altra maniera fatta sia nulla e di nessuna forza e valore."

task under his charge? Or, in a different way: If notwithstanding my having traced out so many monstrosities, and so many disorders in this tribunal, I am not the less ignorant, how unlettered must not those be who are incapable of finding out any thing objectionable. Reason points out that it is now time for those to be undeceived, who have hitherto been accustomed to behold the vulgar measure their merits by the badges with which they are adorned, or by the revenue they enjoy. Let them at once know that the time in which they appeared to be something, because the rest were silent, is now gone by.

Having fully answered the objections militating in favour of the Inquisition and against those who impugn it, it now remains for me to point out the means of supplying its place, in a manner conformable to the dictates of the Gospel, and the fundamental law of the realm, which enacts, that the Catholic is the only religion of the state. As such I esteem the following. Let the bishop, by reassuming the rights annexed to his own dignity, form an adequate and independent conservative tribunal of the faith, in which let him also preside as sole judge. The main object being to preserve the faith in a pure

state, by separating from the communion of the faithful all those who may infect them, it is incumbent on the judge of this tribunal to declare what persons have made themselves deserving of this separation, which will only include those who may be proved to have denied any of the dogmas of the faith, or refused obedience to the bishop.

This declaration emanating from a peaceable authority, and from a government charitable and paternal, ought not only to be free from legal forms but also preceded by the triple admonition ordained by Jesus Christ himself. The first the bishop will perform in secret, either of himself or through the medium of his vicar; the second, in presence of the most distinguished ecclesiastics; and the third in the church, in the presence of the chapter and all the people. If the dissenter abandons his error previous to the third admonition, the matter shall be held secret, and attended with no other consequence than a salutary penance; but if he should give cause for this, and the affair should have been made public, besides the penance he shall have his name and the grant of reconciliation posted up on the door of the cathedral church. When after due remonstrance

he still remains contumacious, or when cited for the third time he should fail to appear, his name should in like manner be put up on the church door, but in the quality of one excommunicated, being so, in the first case, as a formal heretic, and in the second, for being disobedient and schismatic. The relapsed shall be again admitted to reconciliation as often as he should solicit it; but on condition of subjecting himself to a heavier penance. So far the measures to be adopted by the ecclesiastical judge with regard to the conservation of the faith.

The civil magistrate will likewise proceed against the violator of this fundamental law with absolute independence of the diocesan bishop, but under a previous accusation of the attorney general. When the denunciation rests on any saying or action contrary or injurious to the faith, and the same has been preferred in the civil court before being carried to that of the church, the magistrate shall demand an explanatory definition of the offence from the bishop, who shall not refuse it; but if this should arise out of any writing, the same shall be submitted to the Board of Censure, and if the report is not favourable to the person accused, the civil magistrate

shall order him to be arrested when the necessary grounds have been made out. If the church first took cognizance of the affair, and had proceeded against the dissenter as far as the third correction, the attorney general, by virtue of his office, shall support the prosecution, and it shall suffice, in order to detain a person who may appear to be guilty, that a simple information of his having given cause for it be previously lodged. The suit shall follow the same forms and admit of an equal number of stages as any other of the criminal ones, and the culprit shall be allowed to remonstrate against the qualified report of the bishop, in which case he shall lay it before the metropolitan; but if the latter should have given the first report, he shall forward it to the oldest suffragan, in order that his opinion may be given, which shall be preferred in case of its being contrary. The punishment assigned to the delinquent may be a fine, seclusion, or hard labour for a determined period, or till he lays aside his error. The same can be increased towards the relapsed, if reconciliation had preceded the sentence; all which shall be duly notified to the diocesan bishop. Banish-

ment from the kingdom shall be the penalty of him who perseveres in his contumacy, and capital punishment shall be awarded against the dogmatizer or propagator of sects, seeking to make effective proselytes.

The prohibition of books, as well from the injury that may arise to the liberty of the press, as because it embraces a branch of national industry and of active and passive commerce, shall only be enacted by the king as formerly, on the report of the Council of State, and under the approbation of the Cortes. Let such prohibitions belong to the civil power, since that practice was anciently in favour of this royal prerogative, as appears evident from the decree of their Catholic Majesties, promulgated in Toledo in the year 1502, in which they establish the form to be observed in printing of books, and in the importation of foreign ones. This is likewise demonstrated by the royal order issued by Philip II. in 1558, in which he places the same kingly prerogative under the authority of the Council of Castile, and charges the Inquisition with the formation of the index, which he calls a memorial, and which Charles V. before him, had given in charge to the

university of Lovaine.* Bishops, nevertheless, shall be allowed to lay before the throne the reasons why they judge that such and such books ought to be prohibited.

Foreign works arriving for importation shall be examined in the custom-houses by one of the members of the Provincial Junta of Censure, or a commissioner of the same; and if not specifically inserted in the catalogue of prohibited books, they shall be admitted to an entry, without any further examination; nor shall they afterwards be called in, unless by virtue of some denunciation, being allowed to circulate the same as if they had been printed within the kingdom. Although in this article it would appear as if too free a scope was given for the introduction of books, nevertheless, nothing more is therein stated, than is to be found in the royal decree which forbids their circulation being prevented on pretext of their not having undergone due examination. If any work shall be found to be comprehended in the said catalogue, it shall be held as confiscated; and those shall be forwarded to the diocesan bishop for his approbation, which,

* Vide Campomanes in his work entitled "Juicio Imparcial," &c. sect. ix. § iv. n. 94.

in consequence of the matter on which they treat, cannot be printed without it.

Those who may introduce and cause prohibited books to circulate without special licence from government shall incur the same penalties as if they had printed them; and the purchasers, besides losing their copy or copies, shall pay a fine, unless they have previous permission to read the work. This permission shall be understood to exist on the part of public functionaries holding high offices, of the professors in universities and colleges, and graduates of the highest degrees in all branches of science. The licence of the diocesan bishop, which according to the Council of Trent ought to precede the impression of all works treating on religion, shall be limited to those of divinity—whether this be didactic, under which term shall also be comprehended the translations of the Bible and its commentaries; or mystical, including under this last denomination books of devotion; but works of ecclesiastical history and policy shall follow the general rule. Finally, the diocesan bishop shall not refuse his licence, unless for those writings which may contain propositions manifestly contrary to the historical data of the Scriptures, or clear

and express dogmas of the faith, the aggrieved having still the right of recurring to the King.

It is unnecessary to add, that the stigmas of "rash, ill-sounding, *piarum aurium offensiva, sapiente hæresim*," and all such terms as the inquisitors have been in the habits of applying to propositions, and which leave such ample room for the unjust prohibition of works, are now no longer to be in force. True it is that religion may still be attacked by the indirect means of amphibology and allegory; but although this is the case, the freedom of the press ought never to remain subject to the ill-humour of a cavilling prelate, or liable to the cunning of a minister propending to despotism. By leaving only this door open, objections, as before, will be thrown in the way of the most innocent and Catholic writings, either by distorting their meaning, or by separating the periods in such manner as to destroy the order of the whole composition. How easily the first may be effected was ingeniously demonstrated by Theophilus Reinaldus, who took to pieces the Symbol of the Apostles, and even therein presented a string of heresies. The second may be deduced from the facility which cer-

tain authors have had of forming a new work under an opposite view by selecting detached sentences. Thus Ausonius, with verses of the modest Virgil, composed a nuptial hymn of the most obscene kind; and with the same materials Proba Falconia formed the history of the life and passion of Jesus Christ. The freedom of the press, consequently, ought not to be injured by these inconveniences, when this same freedom counteracts them. Let the antidote be applied by writings of talent and erudition, whenever it is feared that a work will diffuse secret poison, since in the end truth will always be triumphant. For the sole purpose of promoting the improvement of youths studying Latin, the committee of the Council of Trent, and with it the Inquisition, permitted the use of Pagan classics in their original languages, without either being in any way restrained by the impiety of Lucretius, or the obscenity of Ovid and Martial.

These, more or less, are, in my opinion, in case the above reform in the clergy should be attempted, the rules under which the conservative tribunal of the faith ought to be re-established, as being conformable to those instituted by Jesus Christ himself; and

under such regulations the laws themselves will be sufficient to protect religion. One of the advantages this plan presents, in addition to that of leaving the authority of the Church in an integral state, is, the preventing of all co-operation on the part of ecclesiastics in causes of blood, and banishing their feigned mediation in favour of the culprit; inconveniences which cannot fail to occur as long as, vested with civil authority, they give in the sentence already prepared to the secular magistrate. By this means also we reduce the prohibition of books to its just limits, as well with regard to matters as the persons who may be therein comprehended. It is certainly ridiculous that individuals, who have merited the confidence of government for the fulfilment of the most arduous duties, or who have legally accredited their knowledge, when they are besides bound, not less than the heads of government themselves, to discriminate between the salutary and injurious, should be held in the most degraded pupillage by the trammels imposed upon them. It is not enough to say, let them request a license for reading, and it will be granted to them; since it is not just they should be obliged to receive as a favour the exercise of a right in which

they ought not to experience any inthralments; either because no grant is obtained without some expense, or because it is to be feared, if the experience of the past serves for our future guidance, that licences hereafter may be refused with as little reason as heretofore on certain occasions, when on others they have been granted even to women. Nicolas Antonio, being in Rome as general agent of Spain, and at the same time commissioner of the Inquisition, did not obtain a licence for more than five years, and this with difficulty; and among ourselves during the latter years it was refused without any exception to every one who had not passed his fortieth year, even to professors in the universities for works appertaining to their peculiar branches of science.* This plan, in like manner, favours the entry and circulation of foreign books, which ought to be equally as free as the printing of national ones, since this is another of the channels of public instruction, and a further means of bridling ecclesiastical and regal despotism. Besides, excessive rigour in these matters is not ho-

* Cartas de Don Nicolas Antonio y de Don Antonio de Solis, published by Don Gregorio Mayans, letter ii, and iii.

nourable either to the ministers of the church or the Church itself. A cause, whose defenders rely less on their own strength than on the silence imposed on their adversaries, induces a suspicion that it is not cemented in truth.

I now approach to the close of my dissertation. I conceive I have proved, even to evidence, that the Inquisition, far from being suited to sustain the religion of Jesus Christ in a dignified manner, and by this means contribute to the happiness of the monarchy, can only tend to discredit it. Its system of rigour, carried to the highest pitch of cruelty, manifests that the spirit by which it is animated is diametrically opposed to that of the author of the Gospel; and that, for this reason, it is extremely far removed from the plan of meekness followed by the Church in the days of its best discipline. As a tribunal created in the ages of darkness, the laws on which it is founded are so many wild deviations from sound sense; and, as if traced by the hand of rancour under the appearance of zeal, its code is a complication of overbearing fraud and iniquity. Placing nature in contradiction with herself, through the medium of denunciations it has made the greatest friends

conspire against each other, demoralizing the people under the title of piety. Implacable with the unfortunate who fell beneath its claws, it has stained its hands in their blood in the most inhuman manner whenever they had sufficient heroism to brave its terrors; whilst at the same time it assumed the garb of insolence towards the weak, covering them with scoffs in their humiliation. Perfidious in its words and base in its conduct, it only conceived itself happy while it had culprits to condemn. Borne away by its avarice, even more than by its cruelty, it devoured the loaf wrested from the widow and orphan, to whom it rendered even the means of begging difficult by the stigmas of infamy which it imposed.

As the masterpiece of error, it obstinately persecuted letters and learned men, always fearing to meet its own destruction in the broad light. It boasted of being unerring in its measures as well as in its judicial decisions, whilst from its tripod the most absurd and injurious oracles have issued. Possessing in the most eminent degree the passions of despots, pride has constituted its very soul, and falsehood the air it has constantly breathed. It was adopted by kings in order to enslave nations, after it had been

founded by the popes for the very purpose of making kings their vassals ; and thus aiming at sovereignty, and spurning mankind at large, the ambition and impunity of the clergy have alone prospered under its shade. It not only trampled on the property, honour, and lives of the citizens, but also on their shame. Not content with disturbing and depressing the civil authority, it contemned the dignity of bishops, although it had proclaimed itself their chief support. In short, to form the history of its dominion, crimes of every kind rush upon the mind. And after this, how can I call thee, The Holy Tribunal? Thou hast been a den of thieves ; the bulwark of superstition and of ignorance ; the insatiable sphinx of human flesh ; a tyrant among despotic establishments ; a monument of the barbarism of the middle ages ; the scum of tribunals : finally, thou hast constituted an invention that has stood alone and without a parallel in ancient or modern times. And will a philosophic age like the present any longer tamely submit to the existence of an Inquisition? Most assuredly no : rather, by destroying the monster, philanthropy will effect in the 19th century what charity in the

17th, though called the age of theology, was unable to attain.

Ye cold and desolate walls of those same prisons which lately contained the ancient father of a family, the virtuous priest, the distinguished man of letters; who, bent down with the weight of manacles and of chains, were destined to deplore within your gloomy solitudes the absence of a tender wife and children, the loss of reputation, or the fatality of talents; ye black roofs of those same dungeons which mournfully echoed back the clanking of chains and the cries of despair, unite now in the universal gladness; since, the very bosom of fanaticism being torn asunder, ye will no longer be used as the halls of torture, or witness the dire outrages of humanity. Ye victims of this cruel tribunal! ye venerable shades who wandering within these sullen piles where your bodies had wasted away, or by public execution had been reduced to ashes, renew the remembrance of those lengthened days, those eternal nights of bitterness and grief, and felicitate yourselves on the close of life because it was the end of captivity; cast off the feelings of melancholy, and exult with joy—for

the sighed-for moment is at hand when the enemy of God and of man, the abominable and perverse Inquisition, shall cease to exist, and its outrages be avenged. Yes, it will disappear from the face of the earth, pursued by the maledictions of heaven, whose authority it so sacrilegiously usurped; and, loaded with infamy, its name will be an object of horror to posterity.

People of Spain! worthy of a better fate, the Inquisition has deceived and tyrannized over you for a period of six centuries. Through the ascendancy of that artful and insidious intrigue which your rulers have practised, they have built up their own fortunes and your misery out of your innate love for religion; and by fatal experience ye have learnt that, if religion is the greatest good the divinity has bestowed on mortals, the authority of its ministers, when they exceed their lawful bounds, is the most tyrannic of all powers. But the mask is now torn from the hypocrites; and their impostures, in the place of forbearance and respect, will in your hearts alone meet with contempt and indignation. Now, more than ever, ought this execrable tribunal to excite your anger and disgust; since, besides being the parent of all your evils, it also inspired

the common disturber of the peace of Europe with the daring project of adding you to his herd, and thus complete your perdition. This painful truth was long ago foretold to you by a French politician,* (for, in the end, the wise of every nation form part of the same society), who affirmed that the suppression of the Inquisition, since it was not effected by yourselves, would fall to the lot of a conqueror. Let it therefore rather be the work of your own unprejudiced zeal and just vengeance, which, presenting to the Allied Nations a new testimony of the great hopes they may still entertain of you, and to France a fresh example of your unanimity, may contribute to raise a whirlwind so as to hurl the tyrant's throne to those pesti-

* This is the Abbé Raynal, in his *Histoire Philosophique des Etablissements, et du Commerce, des Europeens dans les deux Indes*, published in 1771. Speaking of the fatal ascendancy of the clergy over our government, and of the necessity of depriving them of their chief support, the Inquisition, (vol iv. book viii.) he uses the following words : " Il est donc d'esperer que si la Cour de Madrid ne se determine pas a cet acte necessaire, elle y será quelque jour reduite par un vainqueur humain, qui dans un traité de paix dictera pour premiere condition que les auto-de-fe seront abolis dans toutes les possessions Espagnoles, de l'ancien et du nouveau monde."

lential regions from whence he came, or conjure up the furies in order to precipitate his horrid soul into those abysses which gave it birth.

Fathers of your country, representatives of the most heroic of nations! it is to you who are busied in the present General Cortes, and you who henceforward are to continue your labours in the regeneration of the monarchy, that I now address myself. When the Peninsula, from the margins of the Ebro to the mouth of the Tagus, was oppressed by the armies a false friend had introduced into her bosom—when the government, during the captivity of the monarch, by assuming various forms was left without means or credit; in short; when on every side we beheld nothing but yawning gulfs ready to swallow us up, and nothing but ruin stared us in the face, ye became the centre of re-union, and the object of our wishes. In your wisdom and patriotism we rested all our hopes;—it was you who effected our salvation. Under your influence the public spirit revived,—the citizen joyfully contributed to the urgencies of the war,—the soldier intrepidly presented his breast to the steel of his adversary; in a word, Spaniards have omitted nothing in sup-

port of your decrees and in the promotion of national independence. Will those therefore, who with such firm zeal have laboured and still labour to repel a foreign yoke, any longer remain condemned to endure a domestic one? Shall we still hold as grateful to the God of Peace the cries of a citizen cast forth, unheard by any one, among the chains and seclusions of impenetrable prisons, or any longer disregard his shrieks rising amid mingling flames and volumes of smoke to the very vaults of an irritated heaven? Will magnanimous Spaniards still have to bend their backs under the degrading lashes of the Inquisition? Far be from me such a dread, not less injurious to your probity than your learning, of which ye have given us so striking a proof in the immortal constitution ye have just sanctioned. By it the Gothic edifice of this ferocious tribunal already totters; and it is no longer possible you can recede, since this same constitution would thereby be undermined and exposed to derision.

And, in truth, who can fail to discover the opposition that exists between a liberal constitution and the bloody Inquisition? The constitution restores to the citizen, with the liberty of writing, the sacred right of

manifesting his political opinions for the good of society, and can this be reconciled with the Inquisition, which, in obsequiousness to the clergy and to kings, and by appealing to mean and base sophistries, exercises its authority over the most hidden thoughts? The constitution banishes feudalism by converting the nation into one family, and can that establishment be compatible with it, whose chief is another sovereign exempt from responsibility? The constitution levels all judicial proceedings according to the rules of equity; and can that tribunal accord with it, whose code is in direct opposition to the fundamental axioms of universal justice?

It would be in vain to disguise the incompatibility of the Inquisition with our charter of freedom, if from this we are to expect a prudent reform; since how many Hercules would suffice to cleanse away such heaps of filth from this new stable of Augeas? An institution in itself essentially bad, as is that of the Inquisition, is not susceptible of reform, and even if it were, does the good of religion perchance allow that its defence should be confided to a tribunal which, under the name of holy, has cherished so many abuses and vices within itself, but which is now on the eve of

falling into eternal discredit. Exterminate then, Fathers of your country, by overcoming the respect of classes and of parties, the monstrous Inquisition. Let not its memory remain, unless as an object of detestation; and in order that future generations, living on their guard with so terrible a lesson before them, may oppose an insuperable barrier to sacerdotal ambition. This also is demanded of you by the just whose blood this tribunal has spilled; by the wise, whose writings it has rent in pieces and condemned to the flames; by the Church, whom it has so much insulted; and by reason and humanity, which it has in such numerous ways outraged and trampled upon. Reform the clergy, since it is in them that the root of the evil rests; reduce their authority to the limits of their ministry; take from them all cause of distraction and idleness: in short, protect religion as accords with the sanctity of the gospel, and the dignity of the Spanish people.

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